REPORT

OF THE BRITISH COLUMBIA

Royal Commission on the Incarceration of Female Offenders

1978

THE HONOURABLE MADAM JUSTICE

Patricia M. Proudfoot

Justice of the Supreme Court
of British Columbia

COMMISSIONER

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Province of
British Columbia

Royal Commission
Incarceration of
Female Offenders

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April 28, 1978

The Honourable Grace M. McCarthy
Provincial Secretary
Parliament Buildings
VICTORIA, B.C.
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Dear Madam:

The Royal Commission of Inquiry into the Incarceration of Female Offenders, established under Order-in-Council 3632 dated December 5, 1977, has the honour to submit its Report of its findings.

Respectfully yours,

The Honourable Madam Justice
Patricia M. Proudfoot
Commissioner.

PMP/mlf
ecl.

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SECTION I

INTRODUCTION

The Royal Commission on the Incarceration of Female Offenders originated by way of an Order-in-Council signed by the Provincial Secretary of the Government of the Province of British Columbia on the 5th of December, 1977 pursuant to the *Public Inquiries Act, Statutes of British Columbia* Chapter 315.

I was sworn in on January 9, 1978 as a sole Commissioner pursuant to that Order-in-Council.

Commission Counsel Mr. J.E. Hall was appointed by myself, and in turn appointed (with my sanction) his assistant Ann Rounthwaite. Mrs. C. Scott was employed as a researcher and librarian and the balance of the staff complement was hired as the need arose.

The appointment of the Commission resulted from various allegations made public by the media. The allegations were of irregularities in the operation of the Oakalla Women's Correctional Centre, including sexual misconduct between male staff and female inmates. The Royal Canadian Mounted Police were called in to investigate matters. Subsequent to their confidential report to the Attorney-General of British Columbia, this Commission was born.

The Order-in-Council sets out the terms of reference as follows:

> *A COMMISSIONER BE APPOINTED to make inquiry into and concerning all aspects of the management and operation of programmes and facilities related to the disposition and incarceration of female offenders whether under sentence or on remand in British Columbia and without restricting the generality of the aforesaid concerning any misconduct arising out of the same in so doing to inquire particularly into*
>
> *a) whether or not correctional management policies and practice are in accordance with proper standards within the administration of justice, reflect public attitudes and ideals, and provide for the proper incarceration of female offenders;*
>
> *b) whether or not the programmes equipment and facilities provided in the Province by the Corrections system for the disposition and incarceration of female offenders, are conducive to good correctional practice;*
>
> *c) whether the employment, promotion or placement of Corrections staff in women's Correctional programmes is in any way discriminatory as to sex;*
>
> *d) whether there are proper methods and procedures for the training of staff employed in Correctional Programs and facilities for women;*
>
> *e) whether or not the discipline within Provincial facilities for female offenders is proper and effective and in compliance with Corrections Act regulations and management policy;*

I would like to point out that the Commission, in this report, will not be following the terms of reference in order.

I felt that by dealing with the subject in the manner I have that the recommendations herein could best be presented. The Commission wishes to emphasize that evidence was called and briefs were submitted covering all facets of the terms of reference as interpreted by the Commission.

The subject of the RCMP report and the initial allegations which brought about this Inquiry will be dealt with elsewhere. The question of the role played by the Division of Inspection and Standards of the Corrections Branch is also dealt with comprehensively in the report.

Visiting the institutions housing female offenders in this province was seen as the appropriate starting point. Accordingly, in January 1978, Commission Counsel, Mr. Hall, and your Commissioner visited Prince George Regional Correctional Centre located at Prince George. There we found eight females utilizing the entirety of a 26-bed wing of the institution. The male population was approximately 140. This institution was the result of a misguided venture by the Corrections Branch to create a "co-ed" facility.

While in Prince George we also visited two community-based residential centres; Activators Society Transition Home and Phoenix House. Activators had two females and 25 men in residence and the entire operation left a good deal to be desired. This Commission says firmly and emphatically that the government, when buying beds, as in these cases, should have a closer liaison with and/or a closer monitoring system of these operations.

We next visited Twin Maples Correctional Centre, which is a minimum security facility located at Ruskin. Geographically, Ruskin is about 50 miles east of Vancouver near Haney. Approximately 30 females were in residence here along with two males from the Alouette River Unit, a male institution primarily utilized for alcoholics.

Commission Counsel and myself then viewed Oakalla Women's Correctional Centre. I later made two additional visits. Assistant Counsel, Miss Rounthwaite, spent many, many more hours at Oakalla interviewing inmates and staff. The Commission researcher, Mrs. Scott, also spent a day at the unit.

During the course of my visits to these institutions I spoke to all levels of staff where possible, and the majority of inmates. I was pleased with the ease and comfort with which I was accepted, and with the openness of both staff and inmates. It became very clear to me that everyone wanted to talk and had something important to say. I listened patiently and attentively to all.

I am satisfied that the majority of the initial complaints (excluding those investigated by the RCMP which will be dealt with elsewhere) were ultimately supported by either the evidence heard by this Commission orthe briefs filed. It became crystal clear that there were many problems needing to be aired at Oakalla and a forum had to be provided.

Still in January, we visited the Community Correctional Centre at Graham Street in Victoria known as Graham house. Although this facility had been a part of the corrections department since January 1977 there were no occupants. By March 1978 this facility was still unused and unoccupied.

A similar facility was visited in Vancouver known as Lynda Williams house. Although it had a capacity of 10, as recently as late December 1977 and early January 1978, it was functioning with only two residents and the average since its inception has been 4.87 residents per month.

The Commission visited two community-based residential centres in Vancouver, the Elizabeth Fry Society house and the Sancta Maria house. These institutions were running efficiently at or near capacity with both the provincial and federal governments buying beds. This topic will be expanded on later in the report.

During the course of the hearings, Mr. Hall and I visited Purdy Treatment Centre in Washington, a state institution for female offenders. Approximately 160 inmates, all sentenced, were housed at this institution, ranging from minimum to maximum security. I also visited Pleasanton Correctional Centre, a Federal Institution, in California. The all-female inmate population here totalled 313. Reference to both of these institutions will be made later in this report.

Formal Hearings commenced February 8, 1978 and closed March 31, 1978. During that period there were 28 hearing days, 40 briefs were submitted, 103 exhibits (many consisting of multiple documents) were filed, and 87 witnesses made a total of 115 appearances.

It was brought out during the Hearings that some people, especially Messrs. Burns and Hofseth, were displeased with the initial press reports about improprieties at Oakalla Women's Correctional Centre. While I can agree that this is unfortunate and normally undesirable, I must defend the media in this particular instance. One can only speculate what, without this publicity, might have had to occur in order to draw attention to the crisis at OWCC.

This Commission heard from many interested groups of citizens as well as from every level of staff -- line staff to supervisory -- and all levels of management. We also heard from inmates from Twin Maples and Oakalla Women's Correctional Centre.

The Commission answered correspondence from many interested associations, societies and concerned citizens.

The Commission gave status to the *Ad Hoc* Committee of the Canadian Bar Association, Vancouver Branch. Accordingly, one of the members of this committee, Mr. D. Sorochan, Miss P. Lane, Mr. J. Conroy, Mr. I.Clague or Mrs. M. McGrath attended each session and contributed much to the Hearings.

This Commission saw the need for inmate representation and honoured the promise made, in this regard. Accordingly, Miss J. Taylor from the Oakalla Women's Correctional Centre attended each day of the Hearings and was permitted to question witnesses. The Commission is satisfied that she too contributed to the success of the entire proceedings.

Mr. Hall and Miss Rounthwaite have to be commended for their thoroughness in dealing with the complex topic of the incarceration of female offenders in our province. (They obviously spent a considerable amount of time and effort in gathering and organizing the evidence which came before this Inquiry.)

* * *

The Commissioner of Corrections, when he appeared at the commencement of the proceedings said:

> "Just one last thing is that I indicated that in my view one of the problems we have is that we really don't know what we are doing and that has to do with the lack of social or political mandate. I would, of course, like everyone to understand that I think there are lots of people in our system who work every day who know what they are doing but as a collective enterprise we suffer from a loss of direction in a number of areas."

This lack of direction has been a great concern, particularly when the Commissioner himself has been at the head of the Corrections Branch for approximately three years. For three years prior to that he was head of the Planning and Development Department.

Over and over the malaise caused by lack of leadership was evident both through the evidence of witnesses, and in our interviews with staff at the various institutions.

The Commission finds it difficult to have confidence in, and indeed has no confidence in the (now former) Commissioner of Corrections. After this length of time, Dr. Ekstedt still is only coming close to defining what direction the department is taking. The Commissioner speaks of being opposed to institutional treatment as a primary principle: ". . . for instance, one of the things we have said very clearly is that we are against institutional treatment as a primary principle."

Theoretically this may be a very laudable principle but it does not assist a commission appointed to enquire into the incarceration of female offenders. We cannot have our heads in the sand. There is ample evidence to support the proposition that women are increasingly becoming involved in the more serious crimes. The reasons for this are many and diverse, but the trend is clear and it is not abating. The incarcerated female will remain with us regardless of our philosophy. We must develop some methods of dealing with them in the best way we know. There is no doubt that the whole area of programmes within the institution has been woefully neglected. The work release programme using the panabode, which was operating successfully, regrettably was discontinued.

Corrections can never be wholly successful in changing the way of life of some of the prisons' population, and this Commission has no magic solution. Still, it should be a legitimate and realizable aim to ensure that the programmes and way of life at an institution give individuals who wish it, some opportunity to make progress. Twin Maples was the one institution we saw that seemed to be relatively happy and effective.

No custodial institution can be entirely happy, inmates are there against their will and by the dictate of society. Some argue that prisons are wrong in principle and ought to be abolished, and indeed those views were put before the Commission.

The Commission does not perceive its mandate to be one allowing it to journey into this interesting socio-philosophic area.

Institutions should not, if possible, contribute to a further erosion of the inmate's personality; they should not contribute to a deterioriation of behaviour and lifestyle. Boredom and lack of challenge were two problems that appeared to us to pervade the day-to-day life of women inmates at Prince George and Oakalla. This sort of atmosphere, perhaps a type of defeatism, can work its way into an institution and weigh heavily on staff and inmates.

There has been, we regret to say, a sad decline in many areas at OWCC over the past several years. However, things are not necessarily as gloomy there as some would have us believe. The unit is physically of poor design but several witnesses (including Dr. Richmond, a man of wide experience and great humanity) properly emphasized that people and attitudes are vastly more important than bricks and mortar.

If Mrs. Peacock and her staff, aided by management and union co-operation, are allowed to get on with many of the suggestions for improvement referred to in these Hearings, a much better atmosphere can be achieved at OWCC.

The recent years have seen severe changes in corrections, many without doubt, good. The amalgamation by regions of probation and institutions may prove to be in the long run very beneficial; it at least deserves a fair test. The bald fact remains, however, that a lot of this change has placed undue stress on the institutions which are always the most difficult and sensitive area of corrections.

Neither Dr. Ekstedt nor Mr. Harrison were perceived by the Commission as being very experienced in, or alive to, institutional matters and needs. As Dr. Ekstedt pointed out, the institutions are not the largest component of corrections, and, of course, women are a very small part in terms of the institutional population.

The institutional side of women's corrections, particularly OWCC, have not been properly attended to fiscally or managerially over the past several years. Perfection is not to be expected here anymore than in any other endeavour in the real world, but it is simple candour to observe that things could have been, and can be, a great deal better at OWCC.

This Commission saw no alternative but to recommend that Dr. Ekstedt be relieved of his duties as Commissioner of Corrections immediately. I understand that he has, in fact, resigned and normally no further comment would be necessary. However, it has been brought to my attention that he may be retained by the Corrections Branch as a consultant. In view of this Commission's lack of confidence in Dr. Ekstedt I have some concern regarding his usefulness to the branch. We are hopeful that for the Corrections Branch of British Columbia under new leadership, and with the implementation of recommendations made herein, better times will lie ahead.

HISTORY

The Oakalla Women's Correctional Centre was completed in 1957. Prior to that time the women inmates were housed in what is now the hospital facility at the men's unit.

Miss B. Maybee was the matron in charge of the women's unit from 1948 until 1972 and no end of witnesses alluded to the orderly institution she operated. A constant refrain told us that Miss Maybee was firm but kind and that everyone knew where she stood.

In 1972, when Miss Maybee retired due to poor health, the ship lost its rudder and started to flounder through a series of male directorships. The chronology of these directorships is noted in Section II of this report.

This report will not dwell on the discipline philosophies of the previous male directors. At this time, it sufficies to state that their approaches varied considerably from a paramilitary to the completely permissive approach.

It is also interesting to note that prior to 1974 the head of the women's unit reported to the Deputy Warden of Oakalla men's unit who in turn was responsible to the Associate Deputy Minister (Corrections) of the Attorney-General's Department. The organizational change which took place in the summer of 1974 created a different line of reporting. The head of the women's unit between 1974 - 77, Mr. Burns, reported to the Assistant Executive Director of Institutional Services of the Province of British Columbia, Mr. W.R. Jack, until April 1, 1977 when the entire province became regionalized. Reporting was then done to the Vancouver Regional Director, Mr. E.W. Harrison.

This reporting arrangement was somewhat altered in September 1977 when a "transistion phase" began which brought the responsibility for the women's unit back under the protective wing of the former men's director, titled Director of the Oakalla District. As it stands now, the head of the women's unit, (once called director and now termed "local manager") Mrs. Peacock, reports to Mr. Bjarnason, the Director of the Oakalla District, who in turn reports to the Regional Director, Mr. Harrison, who reports to Dr. Ekstedt, Commissioner of Corrections.

The Commission is concerned that this zigzag method of reporting causes no end of delays, is cumbersome and is not necessary. With so many external management changes any ship might be apt to drift.

Meanwhile, in Victoria in 1973 Mr. E. Epp became the Deputy Minister in charge of Corrections with three executive directors under him and one of these positions, that of Planning and Development, was filled by Dr. Ekstedt.

Dr. Ekstedt was appointed Acting Deputy the summer of 1975. In July of 1976 "acting" was dropped from his title and Dr. Ekstedt officially became the Commissioner of Corrections with the status of a Deputy Minister.

Dr. Ekstedt has in effect been at the helm of this operation for almost three years, and for some three years preceding that he was head of Planning and Development.

This Commission also learned that Haney Correctional Institution (a young male offenders unit) closed in July 1974 and that it became necessary to relocate some male staff. Some of them were absorbed in the Oakalla women's unit. There is evidence to support this Commission's conclusion that no study or preparation was made for this decision to introduce male staff into the female unit. This will be dealt with in detail later in the report.

Also to be discussed later in the report will be the introduction of females into the Prince George unit in 1973-74. Again there is evidence to support the conclusion by this Commission that no proper study took place; rather, the women's unit at Oakalla was overcrowded and some people thought that the native women would be closer to their home communities if they were located at Prince George.

It is interesting to note that the female inmate population at the Oakalla women's unit does not vary a great deal. Specifically, it has usually ranged between 65 - 85 inmates, with approximately 1/3 of these having remand status.

The Commission was supplied with abundant evidence of various organizational changes in the system in the recent past. Having taken the time to sort through these bureaucratic convolutions, the inescapable conclusion is that commencing in 1973-74 a massive restructuring took place. At times, in examining the many changes of structure and reporting relationships the Commission was reminded of the saying about the man who mounted his horse and rode off in all directions at once. Dr. Ekstedt told us that a five-year plan had been approved in 1974 and it appears that the bulk of organizational change, the principle thrust of which was to apparently decentralize authority, now has come to an end.

The Commission has grave suspicions that there may be too many levels of bureaucracy in the present system. We feel that the decentralized reporting system may not be as effective as the Corrections Branch perceives. However, in fairness, the system should probably be allowed to operate for a reasonable length of time in order to make a proper assessment.

ALLEGATIONS OF IMPROPER STAFF CONDUCT

The Commission heard evidence relating to the allegations of sexual misconduct between male staff and female inmates at OWCC and allegations of welfare fraud. It was these allegations which led directly to the appointment of this Commission of Inquiry.

In order to assess these allegations and to discover the truth, we heard the evidence of the RCMP investigators assigned to the case, St. Shields and Cpl. Leach of the Burnaby detachment. Mr. A. Nicholls, from the Division of Inspection and Standards, assisted the RCMP in their investigation. He looked into matters from the point of view of possible internal disciplinary proceedings.

The reports on the investigation compiled by the police and Mr. Nicholls, were filed as exhibits (sealed) in these proceedings. This was done not to hide anything from the public who have the right to know the facts, but in the interest of fairness to the individuals named in the reports.

Although many serious allegations had been made against staff members and inmates, the investigations, and indeed, the evidence given at the Hearings in the end result provided virtually no factual support for the original allegations reported in the press.

As Commission Counsel urged at the outset of the Hearings, the Inquiry has tried to avoid reliance on rumour and speculation and to proceed on the basis of credible evidence and proven facts. Most of the allegations of misconduct proved to be without factual basis -- that being the case we felt it would be grossly unfair to have what can only be termed "vicious rumours" against named individuals given wide publicity.

In summary form the matters investigated and the findings of the investigations are as follows:

1. an allegation that staff colluded with an inmate, one "S" in order to fraudulently obtain welfare monies for "S".

The investigation disclosed that a Human Resources cheque dated August 31, 1977 was cashed in Burnaby by the father of "S". The father and the inmate had been driven to the bank by the staff member from OWCC who was accompanying the inmate on a shopping pass. After the cheque was cashed the father gave the money ($160) to the inmate and she in turn gave it to the staff member. The inmate was apparently not entitled to the cheque because she was in custody during the period for which she claimed welfare.

The police were of the view that the staff member in question was truthful when interviewed, and had no knowledge of any impropriety connected with the transaction. A charge of fraudulently obtaining welfare monies has been laid against the inmate in question and is before the courts.

2. an allegation that an inmate, one "B" had obtained a welfare cheque to which she was not entitled.

Investigations revealed that she was not in custody for the period claimed for and accordingly, no offense was disclosed.

3. an allegation of extortion of sex in return for privileges granted on a day pass.

Investigations disclosed that an inmate, one "D" had been accompanied by a male officer on a shopping pass to Vancouver. It had been alleged that he took the inmate to a motel where they indulged in sex and alcohol and subsequently went to the residence of an ex-inmate where the officer fell asleep and the inmate escaped.

The ex-inmate was interviewed by the police. She confirmed that the staff member and the inmate had visited her apartment in Vancouver in late March 1977.

The police confirmed the issuance of a pass to the inmate and the identity of the staff member from Oakalla records. The terms of the pass included "to refrain from use of alcohol and drugs." The ex-inmate said the two arrived at her apartment in the early afternoon. The inmate was already "high" when she arrived. The inmate asked for a drink and the staff member told her not to get intoxicated. The inmate and ex-inmate drank about five bottles of beer each, the staff member had tea. She said the staff member lay down on a couch and the inmate knelt down by the couch and kissed him.

The inmate asked for barbituates and the ex-imate left the apartment ostensibly to get drugs. The staff member told her not to get anything for the inmate. The ex-inmate made no effort to get drugs and returned to the apartment and said she had had no success. Upon her return there was no beer left and the inmate asked the staff member to lend her $5 for a case of beer. The staff member gave her $5 and told the ex-inmate to get a case of beer which she did. She said that prior to her leaving the staff member was dozing on the chesterfield.

She returned with the beer and the inmate drank another bottle of beer. The inmate excused herself to go to the washroom but in fact left the apartment and escaped. The officer discovered this and panicked. He phoned the institution and told the deputy director, Mr. Hofseth, a fabricated story about the inmate escaping from a restaurant. Another male security officer from Oadalla was dispatched to help the staff member search for the escapee. Meanwhile, the officer called the ex-inmate's apartment and told her to pretend she had not seen him earlier that day. When the other officer from Oakalla arrived in Vancouver, the two went to the ex-inmate's to "search" for the escapee. The security officer who had been dispatched from Oakalla was, throughout this charade, unaware of the true state of affairs. Later that evening the escapee was discovered at a hotel in Vancouver and was apprehended by Oakalla officers.

The inmate in question was interviewed by police in November 1977 at a jail in another province where she was incarcerated. She confirmed being on a day pass and said she had asked for the officer to take her because he was a good friend. She denied any sexual involvement with him that day or on any other occasion. She denied sexual relations with male staff at Oakalla and denied any personal knowledge of sexual activity between staff and inmates at Oakalla. She admitted to drinking beer on the day in question.

The officer who had taken the inmate out on the pass was questioned by the police. He said he and the inmate went to Vancouver that day. They went to a restaurant where the inmate had an alcoholic drink. He confirmed going to the apartment as detailed above and said the inmate had some beer and appeared "bombed". He said the inmate and ex-inmate left the apartment, ostensibly to allow the inmate to get some fresh air and straighten herself out. The inmate failed to return and he then called in to Oakalla with the false story about her escape. He denied sexual involvement with the inmate either in or out of prison but did say the inmate kissed him while he was seated on the couch. He denied dozing off on the couch or loaning the inmate money for beer.

The foregoing narrative could support a possible charge of escape or being unlawfully at large against the inmate and a possible charge of permitting her to escape against the officer in question. Aside from that, it presents a picture of disgraceful dereliction of duty on the part of the officer. The officer, we were told, was given a verbal reprimand but that was done before the facts were known. Doubtless additional disciplinary action will be, and most surely, should be taken now that the truth has been discovered. The incident also points up the difficulties that can too easily arise when male officers are employed to escort female inmates.

4. *allegations made by an ex-inmate about various incidents of sexual misconduct between male officers and female inmates at the Oakalla unit.*

This witness, when interviewed by the police, indicated she did not wish to testify about any of the alleged incidents. The police who interviewed her were of the opinion that she was unreliable and in any event her refusal to testify has the practical effect that there is no evidence to sustain any criminal charges.

5. *an allegation that a male officer had grabbed an inmate by the breast.*

The police interviewed the female correctional officer who was said to have observed the incident. She said that the male officer just tickled the inmate under the arm and that the inmate's common-law husband was present at the time. The inmate herself was interviewed and denied any such incident as alleged. This allegation appears wholly unfounded.

6. an allegation that two male officers were having sex affairs with an inmate, one "L".

The police interviewed several staff and inmates at OWCC but were unable to elicit any information to support this allegation. During the course of the investigation, the police learned the inmate in question had died of a drug overdose in Vancouver. There was no evidence discovered in this matter to support the allegations.

7. an allegation that a male officer was having an affair with an inmate and had paid her motel bill while she was unlawfully at large.

A female staff member interviewed about this said that this inmate did seem to get favourable treatment but said, "she was a smooth old con and could manipulate both the staff and inmates." It appeared that indeed this inmate was unlawfully at large and that when the staff went to pick her up at the motel where she was located, there was a bill owing and they paid it.

The Commission doubts that there is really anything to criticize in this incident although it does illustrate again the sort of rumour that can all too easily crop up when male staff have to deal with female inmates.

8. an allegation that a male staff member was found by another male staff member having intercourse with a female inmate in the isolation unit.

Police interviews disclosed that although the male staff member in question was in an unauthorized area the other male staff member saw nothing improper going on between the staff member and the inmate. The investigation also disclosed that the staff member in question had been observed by other staff members to be very friendly with the inmate and after the inmate was released, he married her. It came out at the Hearings that this close relationship had been brought to the attention of Messrs. Burns and Hofseth but aside from talking to the staff member involved, no further action was taken.

After examining all the information available to it on this matter, the Commission cannot find that there was any illegal or immoral behaviour established as against either the staff member or inmate in question. The Commission cannot help observing, however, that this sort of emotional attachment can have an invidious effect on staff and inmate morale generally. It can lead to allegations of favouritism and create divisions between the staff member and his fellow staff. We suggest that when this sort of situation was seen to be developing it would have been prudent for management to transfer the staff member in question to another unit. This was but another instance where lack of decisive action on the part of management contributed to the ill feelings and disarray we heard about so often in connection with the OWCC.

9. an allegation that a male staff member was caught having sexual relations with an inmate.

The inmate in question had been released and although wanted on a warrant in another province, has not been found by the police to date. Police investigation into this matter continues but no evidence exists to this point to substantiate this allegation.

10. an allegation that a male officer was in the habit of going through inmates' underclothing kept in the clothes hampers.

Staff members interviewed by the police felt that the actions of this officer were not required security checks and displayed an unhealthy emotional state.

While there is nothing criminal involved here, the behaviour in question does point up another problem in having male staff in the living units of a female institution. Again, management failed to transfer this staff member and in our view they ought to have done this immediately when such proclivities were discovered.

11. an allegation that a male staff member pinched an inmate on the buttocks.

This refers to the same staff member as noted in allegation 10. The inmate was interviewed by police and acknowledged that such an incident occurred but refused to testify. The police were of the view no evidence existed to proceed further in the matter with criminal charges.

Once again, the comments made concerning allegation 10 apply here.

12. *an allegation that a male officer took an inmate to a motel on a day pass for sexual relations.*

The inmate in question had escaped from Twin Maples prior to the police investigation and could not be interviewed. No evidence exists at present to substantiate this allegation but police investigation continues.

13. *an allegation that monies were transferred into OWCC to the account of one inmate for a drug transaction and the monies were then transferred to another inmate's account.*

The sum of $150 was transferred from one inmate's account to another but nothing to support any suggestion of a criminal charge was uncovered.

14. *an allegation that a male officer obtained a prescription drug for an inmate and brought it and a bottle of vodka into the unit for her.*

The police discovered that a prescription was filled for this inmate for sleeping pills but the inmate did not want to testify in the matter. The prescription was legally filled. The police found no evidence of criminal activity in this matter but we must observe that this conduct on the part of an officer merits disciplinary action.

15. *an allegation that a male staff was getting intimate with an inmate.*

Apparently a male staff member had been discovered by a female staff member kissing a female inmate. There was no suggestion of criminal activity here and we were told the male staff member in question had been moved from the OWCC.

16. *an allegation that a staff member was involved with an inmate in a gold smuggling operation.*

The ex-deputy director, Mr. Hofseth, was asked about this and said that on May 4, 1977 he got a call from an official from Customs and Revenue Canada stating that a parcel had arrived from Hong Kong for an inmate in the institution. The appraised value of the contents, being gold jewellery, was $1,670 and over $400 duty was owing. Mr. Hofseth said that the next day Mr. Burns the director, and himself, called the inmate into the office and questioned her about the matter. He testified that the inmate had admitted to having ordered the jewellery from Hong Kong on behalf of the staff member. Mr. Hofseth told her that this was against regulations. *The Gaol Rules and Regulations* stipulated that "*No officer shall, without the authority of the director, carry out any business transaction with or on behalf of any prisoner.*"

He went on to say that Mr.Burns and himself discovered that up to five staff members were possibly involved. The three against whom nothing could be proven were spoken to and the two who were established to have been involved were reprimanded.

Mr. Hofseth said that the jewellery was sent back to Hong Kong and never did arrive at the institution. He said that the inmate could not raise the money for the customs duty and that the customs branch was advised to return the jewellery to Hong Kong which was done and Mr. Burns and he considered the case closed.

This incident demonstrates a woeful lack of judgment on the part of staff members involved as well as a disregard of the rules and regulations governing the corrections institutions. Mr. Hofseth said that one of the staff people involved was a new staff member and apparently was not familiar with the regulations or policy generally, but the answer to that is that staff should be better selected and better informed of the rules so that this sort of incident could not happen again. However the Commission heard evidence that *Gaol Rules and Regulations* had not been available to staff for some time and management must therefore accept some responsibility. Aside from rules and regulations, financial transactions between prisoners and staff are totally unacceptable. Even though there was nothing criminal involved this Commission would ordinarily view suspension or dismissal as a more appropriate penalty for this sort of activity.

The majority of the allegations of criminal offences were unfounded but did reveal problems of an internal in nature. In general there is much discontent in the whole system, causing problems that have resulted in the allegations made.

SECTION II

A. STAFF

RECOMMENDATION 1 to 9

THE COMMISSION RECOMMENDS that:

1) the Local Manager (Mrs. Peacock) select her own staff;

2) no security staff be given any responsibility without prior training at a minimum of the 20-day, Block I and II programme;

3) a deputy be appointed to assist the Local Manager at OWCC;

4) the practice of seconding (i.e. appointing senior officers without first advertising the position) cease except in emergencies;

5) all senior correctional officers be exempt from union membership;

6) a re-study be conducted of Principal Officers' membership in the union;

7) probationary and auxiliary staff not be members of the union;

8) a cottage be refurbished for use as a lounge for staff;

9) uniforms be worn by all institution staff.

1. Selection

From the evidence heard by the Commission it seems that staff morale has been worse than inmate morale at OWCC. Several witnesses addressed the problem of an unhappy and fearful staff who apparently have been unable to work in an effective, co-operative manner.

One of the repeated suggestions for improving the situation was that greater care should be taken in selecting staff members. Individuals as varied as Elizabeth Fry Society representatives, an inmate, the local director, and a senior staff member at OWCC appeared to agree on the importance of careful staff selection.

In speaking to Recommendation 26 of the Elizabeth Fry Society brief, Mrs. Roden suggested that young and inexperienced women should not be considered for hiring. The society suggested applicants should have at least three years' previous work experience in the community.

A representative from an inmate committee, Miss J. Taylor, told the Commission that the average inmate "has no preference as to male or female staff." She also submitted that new staff should be better screened and unsuitable new staff still on probation should be dismissed. In the opinion of the inmates, staff unrest and low morale caused "dissention amongst the whole prison population."

Mr. Bjarnason, Director of Oakalla District, was asked if he was able to recruit good applicants for the women's unit. He explained to the Commission that of the last five he interviewed, two were unsuitable, one doubtful, and the other two were sent to see Mrs. Peacock because "we wanted her to have a little bit of input onto [into] the people that she hired."

The Commission was encouraged to discover that some steps have been taken to improve the selection methods. Correctional Officer R. Hall, testified:

> "When we went to Oakalla Women's, we just went in and had a discussion with Mr. Hofseth and we started to work. We toured the unit and the next day we started work. We didn't have an official interview [that] went into your previous training, your family life, your personal life or things like that."

Mr. Hall was transferred from Haney Correctional Centre to OWCC in 1975.

Regional Director E.W. Harrison addressed the question of better staff screening with a suggestion to engage outside services. He felt that either the Public Service Commission or an independent personnel agency, with the aid of testing devices, might make ". . . better or more informed judgments regarding the person's suitability for employment".

Mrs. Peacock has undertaken the task of improving the selection process and carried it one step further by actually experimenting with the use of a written test to determine whether an applicant for the position of security officer is the type suitable for the job.

Mr. G. Walsh, of Delta Data Limited, described the test:

> "The test is a combination of interest test and an ability test both of which have been designed to work together so that we can look at an individual objectively rather than with all our usual biases, determine what, in the venacular, turns them on, what their goals and motivations are, and then determine whether they [have] the abilities to back up what it is they want to do."

He explained that the test was not designed specifically for Corrections but is used in school districts, by the Worker's Compensation Board and by four or five large corporations in British Columbia.

Mrs. Peacock suggested that she would also eventually wish to select her own staff without any pre-selection by the personnel office in the men's unit. She explained to the Commission that

> ". . . at this stage I really would like to be doing the entire selection myself, and the reason I say that is I don't know what is happening with those 12 or 14 people that have been interviewed. Perhaps one of them I would have selected, I don't know that."

When asked what qualifications she would look for in applicants, Mrs. Peacock listed maturity, a minimum of Grade 12 education and experience in working with people. She stated emphatically that

> ". . . if we are ever going to be successful in Corrections at all, regardless of what kind of a fancy building we might build, or whatever other kind of materials, equipment or whatever else we can have at great expense, we will never be successful until we start to select the staff who achieve the objective set out by the branch."

The Commission did not hear enough specific evidence to enable it to make detailed recommendations with regard to qualifications or screening procedures. We agree with those witnesses who stress the importance of selecting suitable staff and urge that certain qualifications be established as required bases for hiring by the Corrections Branch.

The Commission also applauds Mrs. Peacock's efforts to improve the screening process and believes such efforts should be continued.

* * *

I should perhaps touch briefly on an area with considerable potential for creating hard feelings among staff, "the relatives issue". There is, I was told, a defined policy in the government service on this issue of nepotism but I cannot help feeling the policy is often ignored. If relatives (by blood or marriage) are so placed in any organization that one has influence over the work assignments or promotion opportunities of the other, trouble may too easily ensue. This situation has been permitted at OWCC in the past. The adage that "Justice must not only be done but must also be clearly seen to be done." applies here. The practice of nepotism must cease and vigilance must be maintained in the future to prevent any recurrence.

2. Training

Speaking to the Elizabeth Fry Society brief, Mrs. M. Brager emphasized to the Commission the importance of training new staff. She believes that in addition to learning security procedures, trainees should familiarize themselves with the lifestyles and backgrounds of the inmates.

The Society commented that three months' training with a mixture of field work plus theory "was not all that long". This combination they feel provides a better opportunity to retain potentially good staff and eliminates those deemed unsuitable.

They also suggested that Corrections should emulate the police training programme.If correctional staff are treated as professionals, the Society said, it would help to develop a positive attitude.

Former Deputy Director Hofseth agreed that it is somewhat ludicrous to put a new staff member to work for six months and then send her to training. He agreed that three months of staff training is essential.

Mrs. Peacock on the other hand, thinks that three months of training is a dream. She told the Commission that a combination of on-the-job experience and staff training lasting three to four weeks would be more realistic.

Ms. J.Deering reminded the Commission that special training on problems related specifically to females should be included. She cited as examples, single parenthood, pregnancy, birth control and temptations of prostitution. She said that

> "It's very, very difficult to motivate an inmate . . . who can earn that kind of income [from prostitution] to get excited about typing."

With regard to Twin Maples, the Elizabeth Fry Society suggested that, because of the different security and low staff turnover there, one month of staff training would be sufficient.

Mrs. Drew, Local Director of Twin Maples, explained to the Commission that presently new staff members are assigned to an experienced correctional officer for a two-week orientation period following which they spend two weeks at the staff training academy.

Mr. A. Byman told the Commission about staff training in the federal system. He said there is a nine-week induction course followed later by a one-week refresher course with upgrading training taking place continually.

Two representatives from staff training and development, Miss V. Bergman and Mr. J. Laverock, stressed that because of shortages staff were not being freed from their duties to attend training sessions.

They propose more use of trained auxiliary personnel to relieve new recruits to attend Block I training periods. This is a ten-day on-the-job orientation period; the next step is Block II, off-the-job training at Central Staff Training Centre.

While Miss Bergman appeared to favour "pool hiring", Mrs. Peacock suggested that training staff away from the institution before they have some exposure to the realities of institutional life might not be feasible. Miss Bergman explained pool hiring to the Commission. Under the jurisdiction of the staff training system there would be 20 to 40 people constantly being prepared to fill the vacancies at the institutions. This proposal still is in the discussion stage.

It would appear from Miss Bergman's evidence that the first priority of B.C. Corrections Branch Staff Training System has been the upgrading of the backlog of security officers with no training whatsoever. Also, they try to ensure all new staff receive proper initiation and orientation training.

The second priority is to provide assistance to present staff preparing for promotion. Miss Bergman suggested that the lack of training or promotion has resulted in the "Peter Principle" (i.e. everyone rises to his level of incompetence) appearing within the Corrections Branch. Miss Bergman also addressed special training needs of first aid and self defence which she had encountered in her experience with OWCC. With regard to first aid she told the Commission that there is an excellent one-day training course on safety orientation and first aid put out by the St. John's Ambulance. Miss Bergman agreed with the suggestion that self defence be taught but only as an ongoing programme. At present this trianing is not given because time and trained instructors are lacking.

Once again, the Commission is not in a position to make detailed recommendations with regard to staff training courses. However, the Commission considers effective training to be essential to the operation of a well run prison. The Commission believes that no staff should be given any responsibility in a correction facility without prior training. The Commission considers the 20-day Block I and II programme described by Miss Bergman to be the minimum training acceptable for security officers.

In passing, the Commission wishes to comment that the emphasis given by the Commissioner of Corrections to management training does not seem to be accorded the same weight at the level of line and senior staff. In his testimony, Dr. Ekstedt described an intensive three-month management training course for regional directors. However staff shortage in the institution has apparently prevented those people working on the front lines from taking advantage of comparable programmes.

The Commission wonders whether the Corrections Branch as a whole might not have benefitted more from widespread training of its line staff than from the intensive training of its regional directors.

3. Internal Management of Staff

Like the inmates, the staff complained about inconsistent administration at OWCC. The Commission understands that the old *Gaol Rules and Regulations* have now been reproduced and hopes that they are available to every staff member and inmate. House rules should be established and distributed in written form to all staff members and to each inmate on admission. It then goes without saying that these rules should be enforced consistently with regard to both inmates and staff.

Mrs. Drew and Mrs. Peacock suggested that they have attempted to give the line staff more responsibility for making decisions on minor matters but that they have found the line staff reluctant to do so. The Commission can understand that line staff not supported in the past might be reticent to take on these duties. The Commission accepts the fact that improvement in this area of interpersonal relations cannot be expected overnight but suggests that emphasis be placed on communicating the director's policies and approach to each and every staff member.

Some staff members in interviews with Commission Counsel have complained that Mrs. Peacock is not accessible to them. The Commission heard evidence that Mr. Burns and Mr. Hofseth had an "open door policy". Staff and inmates would visit their offices for coffee and conversation frequently. However, this approach to staff management and inmate relationships did not please everyone, some staff members complained about favouritism.

The Commission considers that it would be inefficient use of her time for the director to be at the beck and call of every staff member and inmate. The Commission believes that minor problems, including permission to make phone calls, removal of small amounts of money from the inmates' trust accounts, and routine visits, should not require a decision by the director. The Commission believes that line staff should have authority to make these minor decisions and should be supported by senior staff when they do so.

The Commission believes that the appointment of a deputy to the Local Manager (Mrs. Peacock) with responsibility in day-to-day operation would alleviate some of the dissatisfaction felt by staff and inmates.

Some concern has been expressed by staff members at OWCC about scheduling procedures. Union requirements that members spend an equal length of time on each shift exacerbates the problem of assigning every staff member a suitable shift. The Commission understands that one senior staff member is now in charge of scheduling and suggests that a representative of the line staff might assist with this task.

The Commission believes that Correctional Officer Miss A. LaFlamme's idea to circulate a questionnaire for staff to indicate their shift preference might be useful. The Commission believes that in this area, as in many other areas of the institution's administration, increased consulting of the people involved and communication with them about the reasons for decisions would help to ease dissatisfaction.

The Commission is aware that staff morale at OWCC has been very low in recent months. It is hoped that the recommendations made by this Commission and their implementation will improve the situation generally including staff morale.

4. Seconding

Concern was expressed to the Commission by union representatives and the Vancouver Island Chapter of Women in Corrections, surrounding the unfair policy of seconding managerial staff. Testifying on behalf of the latter group, Ms D. Ash commented that when previously seconded positions were posted, incumbents were almost always successful. This position was supported by union representative, Mr. J. Hurren.

Mr. P. Pettet who is local manager of the Lynda Williams Community Correctional Centre, told the Commission that he was transferred to his present job and that it was never posted. When questioned he said he felt that there were women in the system who were qualified to do his job.

It is in the Vancouver Island region where a disproportionate number of positions have apparently been seconded. Mr. W. Jack, Regional Director for Vancouver Island, indicated that seconding was adopted in spite of its poor effect on staff morale because he was so anxious to implement re-organization.

It is the Commission's view that the detrimental effect of the seconding practice on morale of corrections staff outweights Mr. Jack's concern for rapid re-organization. In fact the Commission considers that the Vancouver Island region has suffered a great deal from excessive re-organization. Some of the deeply felt complaints made to the Commission by women on Vancouver Island led us to wonder about the effectiveness of management in that region. The Commission therefore, believes that seconding of staff should be limited to emergency situations only.

5. Union - Management Relations

The Commission has examined closely recommendations 26 and 27 of the *Report to Parliament by the Sub-Committee on the Penitentiary System in Canada* which read as follows:

> RECOMMENDATION 26
>
> *The Penitentiary Service under the Board must be an independent agency of government not subject to the* Public Employment Act *or the* Public Service Staff Relations Act. *It should resemble the R.C.M. Police in its discipline and professionalism. Employees should be subject to discharge for misconduct or incompetence.*
>
> RECOMMENDATION 27
>
> *Employees of the Penitentiary Service who perform supervisory or confidential functions should not be entitled to belong to unions. Matters clearly under the prerogative of management such as security, programming and inmate welfare must not become the subject of collective bargaining. Compulsory arbitration must be the only means of dispute settlement.*

This Commission would not wish to limit union activities to the same extent as the Sub-Committee advocated. The Commission believes that the B.C. Government Employees Union has made limited contributions to the provincial corrections system. The evidence before this Commission indicates that union-management relations in the British Columbia Corrections System appears to be somewhat better than those at the federal level. Paragraph 399 of the Federal Sub-Committee Report states

> *"Although union officials have denied attempts to usurp the authority of management, more than one institutionaldirector complained about union interference in the management of the institution, particularly concerning the implementation and carrying out of inmate programme."*

This Commission has also heard such complaints. The Commission has found, that the situation concerning management exceptions from union membership in British Columbia is analagous to that of the Penitentiary Service.

The Federal Sub-Committee reports that senior correctional officers in the Penitentiary Service have been compelled to be union members although they are in charge of the institutions during nights, weekends and holidays, and perform other managerial functions. This is the case with senior correctional officers, and on occasion, principal officers in the Oakalla women's unit.

The Commission was informed that the federal system has made some progress in the area of management exclusions. The Canadian Penitentiary Service has said it agrees with the Sub-Committee that managers should be excluded from union membership and is moving in that direction.

The situation with regard to management exclusions in British Columbia was addressed by the former director of OWCC, R.E. Burns. He explained that the director's and the deputy director's jobs were the only non-union positions in the institution. He recognized that, because of their supervisory positions, there was some difficulty with senior staff belonging to the union. With the union benefits, he told the Commission, it can be far more lucrative to be a senior correctional officer than a deputy director.

It seems to be generally accepted in the field of industrial labour relations that people performing management functions are not eligible for union membership. This principle is recognized by article 2.01 of the Master Agreement between the B.C. Government and the B.C. Government Employees Union. It provides for managerial exclusions and states;

> *The parties further agree that cognizance shall be given to the type of organization and to the degree to which employees, at varying levels, are involved either in the formation of government policy or in the process of employer/employee relations. The guidelines to be considered in negotiating exclusions shall be:*
>
> *1) position incumbents employed for the primary purpose of exercising senior management functions*
>
> *2) position incumbents employed in a confidential capacity in matters relating to labour relations*
>
> *3) a sufficient number of position incumbents to represent management in matters relating to labour relations taking into account both operational and geographical considerations.*

It would appear that negotiators did not accord sufficient weight to guidelines Nos. 1 and 3 in considering management exclusions for the women's unit. Senior correctional officers apparently perform senior management functions.

The Commission cannot understand the rationale for excluding only the director of the women's unit from union membership, and considers this situation militates against fully effective management of this unit. The Commission therefore urges that management exemptions be broadened at OWCC to include senior correctional officers. The Commission believes further that the Public Service Commission should examine the duties of principal officers in order to decide whether they too should be exempt from union membership.

Section 25 of the *Public Service Act* Chapter 45 S.B.C., 1976, establishes a six-month probationary period for every appointment to or promotion within the public service. Within the probationary period, the Deputy Minister may reject a person for just cause, or extend the probationary period for a further six months.

The *Public Service Labour Relations Act* makes every employee a member of a bargaining unit, and defines "employees" as members of the Public Service with certain exclusions. Article 3B of the Master Agreement between the B.C. Government and the B.C. Government Employees Union states that employees shall become members of the union upon completion of 30 days as an employee.

Therefore, a probationary employee becomes a union member prior to the completion of the term of his/her probation. The Master Agreement sets out grounds for rejection of a probationary employee. The test is suitability for continued employment in the position. The employee has a right of appeal to the Public Service Adjudication Board or the Chairman of the Public Service Commission.

The Elizabeth Fry Society suggested that in practice the probation system is not effective in weeding out unsuitable staff members. Mrs. Peacock explained to the Commission that evaluations are done during probation and that she considered union membership of probationary employees detrimental to effective selection of probationers for permanent positions.

> "For my part I think this is undesirable, I think they should become union members on completion of the probation, however, that's the way the contract is and we have to live with that."

The Commission considers it undesirable and unnecessary for probationary staff to be accorded union membership and believes this practice may contribute to the problem detailed by the Elizabeth Fry Society. The Commission believes management should have unfettered rights to terminate probationary employees. This is perhaps of particular importance in such a sensitive component as employees of custodial institutions. Employees working there depend on each other's competence and skill for their lives and safety every day. All persons so employed have a vital interest in seeing that the very best personnel obtainable are hired and maintained. On this issue I would expect there to be an accord of views between union and management.

The Commission therefore submits that the present system of according union membership to probationary staff should stop, that the necessary legislative amendments and changes to the Master Agreement should be made, and that staff members should not be eligible for union membership until the successful completion of the probationary term.

Auxiliary employees are defined as follows in the Master Agreement:

> *EMPLOYEE means a member of the bargaining unit and includes:*
>
> *a) "Regular Employee" -- meaning an employee who is employed for work which is of a continuous full-time or continuous part-time nature.*
>
> *b) "Auxiliary Employee" -- meaning an employee who is employed for work which is not of a continuous nature such as: --*
>
> *i) Seasonal positions*
> *ii) Positions created to carry out special projects or work which is not continuous*
> *iii) Temporary positions created to cover employees on vacation, sick leave, education leave, compassionate leave or other leave*
> *iv) Temporary positions created by special programmes such as the summer student*

> *employment programmes, winter works programmes for the unemployed, emergencies such as floods or other special temporary programmes.*
>
> *"Employee" does not include:*
>
> *a) Persons excluded by Section 1 of the* Public Service Labour Relations Act
>
> *b) Incumbents of managerial or confidential positions mutually excluded by the parties to this Agreement.*

Article 31 of the Master Agreement provides that auxiliary employees who complete 200 days in a 15-month period will be recognized as in-service applicants for regular positions. After 30 days an auxiliary employee can accumulate seniority among other auxiliaries. Special provisions are made for auxiliaries in the areas of health and welfare, holidays and vacations. The Commission believes that the same problems can result from according union membership to auxiliary staff as from according it to probationary staff and that management should have unfettered rights to terminate auxiliary employees. The Commission therefore recommends that because auxiliary staff have not been accepted as regular employees of the Corrections Branch, they, like probationary employees, should not be eligible for union membership.

The Commission considers it desirable for the joint consultative committee to establish objective criteria and guidelines for promotion pursuant to S. 20 of the *Public Service Act*. This Commission hopes that the representatives of management and the union will co-operate fully to ensure that the very best candidates are promoted. Promotion of the best suited employees will benefit all concerned with the Provincial Corrections System. In as sensitive an area as institutions, poor choices can have the most serious repercussions.

A matter that has very recently come to the attention of the Commission ought to be mentioned here. I was told that in early April there was a "sit-in" or perhaps one more accurately could describe it as a "sit-out" at OWCC. Upwards of 30 inmates who were out in the yard refused to return to the unit when ordered to do so. They demanded an audience with the director. The director declined the invitation. A number of inmates soon returned to the unit but approximately 20 elected to remain outside. Central control posted guards outside the fence and OWCC staff members patrolled the yard where the dissidents were.

It was alleged that at this point a male union representative who was not from OWCC intervened in the situation and tried to interfere with the orders given to the OWCC staff who were doing their best to keep the situation under control. The representative was asked by Central Control, who were in charge of perimeter security, to leave and did so. After the inmates had returned to the unit around 10:00 p.m. this person returned to the unit and again had to be ordered to leave.

Since the Commission had closed its hearings prior to this incident, it has not been possible to explore fully the above noted. The allegations concerning the union representative have not been sufficiently confirmed for me to conclude that such an incident occurred as narrated. However, the information I have received in the matter causes me sufficient concern to note it and to strongly suggest that the corrections' administration pursue the matter further to determine the true facts.

Elsewhere in this report, I had occasion to comment adversely on what I termed the "officious interference" of Mr. Harrison into an investigation in 1977. The same comments clearly apply to the above noted type of conduct. If established, such conduct calls for censure -- in an emergency type of situation such as that narrated above, it seems to me that all staff should work together to resolve matters in the most orderly fashion possible -- the last thing needed is someone "putting sand in the gears" as it were. I have expressed the hope elsewhere that all levels of corrections staff be they management or union, will pull together to improve matters at OWCC. Outside interference with the effective running of the institution, from whatever source, is to be deprecated.

6. Staff Lounge

The Commission views as reasonable the request made by several staff members that some location should be made available at OWCC as a staff lounge. The Commission can appreciate that to spend a full day supervising a living unit would be a most exhausting experience.

The right to coffee breaks and lunchtime relief are hollow ones if there is nowhere the staff members can go to take advantage of these brief moments of relaxation apart from the inmates and the responsibilities of the job.

The Commission therefore suggests that one of the cottages be refurbished and heated to provide a staff lounge.

7. Uniforms

The Commissioner saw for herself, and heard evidence, that staff do not wear uniforms to work. On some units the staff were dressed so casually that it seemed impossible to differentiate between inmates and security officers.

The Commission also heard evidence that in the opinion of many experienced corrections employees, to have staff attired in an attractive and neat uniform might well increase the respect shown by inmates.

The Commission therefore advises that uniforms of some sort be worn by staff members at the Oakalla Women's Correctional Centre.

B. MALE STAFF

RECOMMENDATION 10

THE COMMISSION RECOMMENDS that male staff be allowed to work in any area where human decency and privacy are not affected.

One of the major issues that came before this Inquiry was the question of male staff being employed to work with female prisoners. As noted, certain allegations of sexual improprieties between staff and inamtes at the Oakalla Women's Correctional Centre largely precipitated this Inquiry.

Prior to 1972, the only male person working steadily at that unit was a carpenter-handyman. The unit was headed by a woman, Miss B. Maybee, and the supervisors and line staff were females. After the retirement of Miss Maybee from her post in 1972 a number of men served as directors of the unit.

The chronology in this regard is mentioned elsewhere in this report. It should be noted that the person occupying the position of chief executive officer was not always formally titled "director" but in point of fact that individual was the person who had final operational authority over the unit.

By way of general comment, it should be noted that the past five years in corrections in British Columbia have been marked by great changes and particularly that is so at the women's unit at Oakalla. Dr. Ekstedt in his testimony before the Commission on March 31, said:

> "Well, maybe I could just say that from 1973 to the present time I don't know of any other single organization anywhere that has experienced so much disruptive change."

A recital of the numerous changes in the position of the director at the women's unit underlines this unsettled state of affairs;a state of affairs markedly in contrast with the previous 24 years when Miss Maybee was the chief executive officer at Oakalla. All of the evidence given at the Inquiry indicates that she was a firm and competent administrator and it is difficult to escape the conclusion that her leaving left a vacuum that may prove troublesome to fill.

In addition to these changes of personnel, undoubtedly unsettling in any organization, the corrections system was buffeted severely by the winds of political change. In the space of a few years, the former Social Credit government of Mr. W.A.C. Bennett was replaced by an NDP administration in 1972. This was followed by the replacement of that government by the present administration in late 1975.

Changing corrections philosophies, replacement of the old director of corrections, closure of the Haney Unit and certification of a union were some of the forces that undoubtedly had an effect on staff working in all phases of corrections.

It appears that the closure of the Haney Unit in the year 1975 led directly to the placing of male staff in the Oakalla women's unit. Although there were faint suggestions that some management planning had preceded this innovation, the plain fact seems to be that the decision was in large measure, if not entirely, a question of finding positions for people made redundant by the closure of the Haney Unit. Mr. J.C. Hurren of the B.C. Government Employees Union testified to the Commission that "there were six junior staff which had the alternative of being laid off or transferred to the women's unit."

As time passed, the original complement of male staff was increased, the highest number employed at any one time being approximately 20 males. It is a fair summary of the evidence to say that it appeared that insufficient attention had been paid by corrections management to staff screening and staff training in this area. All of the evidence indicates that the introduction of male staff into the Oakalla women's unit was not done in a sufficiently orderly or careful fashion.

The Commission disbelieves Mr. Hofseth's and Mr. Burns' testimony that they saw no evidence of difficulties with male staff prior to the events of late 1977: there were signs to be perceived that all was not well in this area.

It should be noted as well that male staff appeared to be used to routinely escort female inmates off the grounds on a day pass. This would appear to be contrary to the terms of Section 1.20 of the *Gaol Rules and Regulations* which reads as follows:

> *"Under no circumstances whatsoever shall a prisoner be permitted to leave the jail premises unless accompanied by the Warden or by a jailer, or a Constable, and in the case of a female prisoner, by a Matron, with the exception that prisoners participating in a pre-release programme may be permitted to leave the jail under the conditions approved by the Director."*

With the number of male staff employed at the Okalla women's unit in the years 1976 - 1977, it was sometimes no doubt necessary to assign them to do escort duty. The men were detailed to it because they were at work and someone had to perform the task. The fact remains however, that male staff put into that situation are susceptible to the sort of imputations that led to this Inquiry. Staff ought not to be subjected to such an eventuality. The Commission does recognize that in the rare case, security considerations may require the use of a male escort but a female staff member should accompany such escort.

When all of the evidence was assessed, there was precious little evidence of any sexual misconduct by any male staff. However, the situation that was allowed to exist in this area was ripe for the sort of allegations that were made and aspersions were cast on people who ought not to have had their characters called into question.

Additionally, escort duty appeared to have been perceived as desirable. Accordingly, having the male staff do a substantial amount of this type of work did nothing to harmonize the somewhat strained relationships existing between some of the male and female staff at the unit.

While the situation of rancour between staff that led in large measure to the allegations in late 1977 cannot be laid entirely at the door of Messrs. Burns and Hofseth and their immediate supervisor for most of that period, Mr. W.R. Jack, it must be said that greater vigilance on the part of management should have caught such a situation before it expanded to crisis proportions.

Although it was suggested by Mr. Hofseth in his evidence that the men were required on temporary absence releases because of security factors, the use of male staff to the degree permitted by management in this area was certainly a breach of the spirit, if not the letter of Section 1.20 of the *Gaol Rules and Regulations*. This was undoubtedly one of the reasons for some of the allegations of favouritism that the Commission heard against Messrs. Burns and Hofseth during the course of this Inquiry.

Mrs. D. LaCharite, a former staff member, said in her evidence that female staff saw the use of male escorts as favouritism on the part of the directors. She said that the explanation was given

> "...that if a girl were to run, a male staff would have a better chance of controlling that woman than, for instance, somebody my size."

As a result of the above noted allegations, a joint union-management committee was set up in late 1977 to study the question of male staff at Oakalla Women's Correctional Centre. A report was compiled by this body and the results were transmitted in a letter (Exhibit 21) from Mr. E.W. Harrison, Regional Director of the Vancouver Region of Corrections, to Ms K. Ruff, Director of the Human Rights Branch of B.C.

Additionally, the Commission had the benefit of a submission (Exhibit 24) from the Human Rights Branch and heard evidence from Ms S. Day, formerly employed by the branch. On February 17, 1978, Ms Ruff responded to Mr. Harrison's letter. That response was filed as Exhibit 59 in these proceedings.

To summarize this response, Ms Ruff exempted line staff positions from the provisions of the Human Rights Code and allowed those positions to be filled by women only, but left open the question of supervisory and other posts including the director's position.

The Commission had the benefit of hearing from the Elizabeth Fry Society on this issue. Their recommendations 27,28 and 29 that touch on this issue are as follows:

> *that all positions within the women's unit be open to both male and female applicants with the following exceptions: At this time and until qualifications have been standardized and training programmes upgraded, no males be hired either to work in or inspect the living units or sleeping rooms.*
>
> *that males and females be considered for all other positions such as records clerks, classification officer, cook, teacher, job finder, temporary absence officer.*
>
> *that the director of the women's unit be a woman.*

As well, the present director, Mrs. M. Peacock, testified before the Commission and when asked to comment on this issue said as follows:

> ". . . I don't believe we should have men working in the living unit. I think the invasion of privacy is a real issue and as far as trying to develop the so-called "natural atmosphere", I don't believe that is so by having a man giving directions or giving orders, I don't see anything so natural about that. On the other hand, as far as the supervisor and director levels, yes, I believe they should be female all the way up. Supervisors must be able to frisk, they must be able to enter living units, bathrooms, etc., so that concludes they should be

> female. There is no question the director should be female and I think history has shown that to be so."

In addition to the evidence heard in the Hearings and received by way of submission, as noted earlier, the Commission had the opportunity to view two facilities in the United States of America: the Purdy Treatment Center for Women at Gig Harbour, Washington and the Pleasanton Institution near Oakland, California. At both of these institutions male staff are employed to work with female inmates.

At Prince George no male guards are employed, nor ever have been, to deal specifically with female inmates. On the other hand, at Twin Maples a limited number of carefully-screened male staff have been working with female offenders for some time.

The Commission is driven to the conclusion, having viewed the noted institutions and considered all of the evidence, that the question of male staff working in women's prisons is not one to which there can be a single answer valid for all times and for all places. Undoubtedly, men have a place in women's corrections but limitations on the use of male staff appear to flow from the nature and physical set up of the institutions themselves.

At an institution such as the ones observed in the United States of America and to a lesser extent Twin Maples, considerations of privacy and human decency do not preclude the use of judiciously selected and properly trained male staff. Other institutions such as Prince George and Oakalla women's unit, as presently constituted, do not readily lend themselves to the employment of male staff because of concerns stemming from a proper regard for the privacy of inmates and human decency.

The Commission must, and does, conclude that with very limited exceptions (e.g. where staff are not required to be in or about the living units on a temporary or permanent basis) the present structure of the Oakalla women's unit strongly militates against the employment of male staff at that unit. This applies not only to line staff but also to the director and supervisors who are required as part of their normal duties to tour the living units from time to time.

The Twin Maples unit is not in all respects satisfactory as a unit where male staff may work equally as well as female staff. It is the view of the Commission that provided the number of male staff employed are kept to a low ratio in proportion to female staff and that only male staff who are mature and experienced are brought into the unit, male staff ought to continue to be employed at the Twin Maples unit.

In view of our findings that the Prince George unit ought to be closed, the Commission scarcely needs to address itself to this issue. We are simply content to say that the policy pursued by that institution of not employing men in the living unit was eminently justified.

In view of the conclusions expressed elsewhere in this report with regard to custodial facilities for women on Vancouver Island the Commission does not propose to deal with the question of male staff working there.

Community correctional centres and community-based residential centres fall into a somewhat different category than the custodial institutions. Undoubtedly male and female staff can work together in these institutions but in the view of the Commission the balance should always be weighted in favour of female staff. Again, great care must be taken in screening and in training male staff who are to work in such facilities. It is absolutely essential that management carefully monitor the relationship between male staff and inmates and male and female staff to ensure that a situation such as the one that precipitated this Inquiry not be allowed to recur.

C. STAFF SHORTAGE AND THE TREASURY BOARD

RECOMMENDATION 11

THE COMMISSION RECOMMENDS that: a pool of part-time staff be trained and made available to cover illness or other emergencies.

The Commission heard repeated complaints regarding staff shortages at Oakalla Women's Correctional Centre. We learned that although the previous administration had about 80 staff members, Mrs. Peacock's staff was cut back to 68 when she started.

Mrs. Powers, a senior staff member at OWCC, said that unlike the men's unit they do not have a pool of reserve staff. This creates hardship because "on any given day you can count eight people away sick."

Deputy Commissioner Robinson explained that since the introduction of the Union Contract the net yield of staff time that is available has decreased because the work week has been reduced from 41 1/2 hours per week to 35.

Mr. Harrison indicated to the Commission that in the Oakalla district, comprising the men's unit and the women's unit, the staff inmate ratio at the women's unit was relatively speaking, higher than at the men's unit.

With regard to staff shortage Dr. Ekstedt testified:

> "One of the things that occurred in the beginning years of the union contract though that I think is worth mentioning is that we had an increase in cost rather dramatic and a reduction in man power capactiy but we didn't receive over any of those years any additional staff through Treasury Board to accommodate that loss, so what we . . . were required to do, of course then, was to reduce the number of posts that we were planning in the branch . . . if your manpower has been reduced effectively by about 12% you cannot run the number [of] posts you previously ran with those people."

The Commission has heard about people being required to work excessive amounts of overtime and double shifts. There is a constant inability to organize and run programmes because of continuing staff shortages. As well, the women's unit seems to have an unduly high percentage of sick time compared to the men's institution and as compared generally to other departments of the civil service.

Dr. Ekstedt told the Commission that they have

> "entered into a series of negotiations with Treasury Board and essentially put that argument forward, to save money we are wasting money."

At the time of writing this report Treasury Board had not responded to Dr. Ekstedt's request for an increase in permanent positions. Thus the dreadful overtime situation has continued unchecked at OWCC.

The Commission is bound to say that it remains mystified by the apparent convolutions of government policy in this area of staffing. If I understand it accurately, it appears that there is a move on foot to create some new positions that are not really intended to be filled on any permanent basis, so that funds may be notionally alloted to these positions. The plan is apparently that all the money required for all the positions will not actually be spent and it will then appear that there has been a saving.

There is an Alice in Wonderland quality to this sort of exercise and it seems all too typical of government agencies to never do simply that which can be done in a more complex fashion.

The present system would seem to be inherently undesirable because overtime costs more. In addition, there is an adverse effect on staff health and morale generally when they are working double shifts. The proposed scheme spoken of by Dr. Ekstedt seems, as we have observed, rather cumbersome, and wholly illogical.

It would seem more in accord with logic and common sense to simply authorize the director of any particular unit to have part-time help available to fill in for persons who are ill or absent from work for some other justifiable reason. I was told that there was some fear of giving the director this authority because it might be "abused". The answer surely to that is that if the managers of the various institutions are so venal or incompetent as to "abuse" this sort of responsibility they ought not be retained in their jobs.

One of the duties of managers is to manage and if they are hamstrung by the sort of restrictions the Commission has been told about in this area, then their capacity to manage must be greatly reduced. I can do no more than to indicate the general direction I feel should be taken to alleviate this particular problem. I do feel that it must be said that neither the proposed system nor the present system seems to me particularly satisfactory.

D. DISCIPLINE

RECOMMENDATIONS 12 to 14

THE COMMISSION RECOMMENDS that:

12) revised rules and regulations be publicized to staff and inmates;

13) an independent adjudicator be appointed to deal with disciplinary court;

14) inmates' possessions in their rooms be restricted;

One of the most persistent complaints to come before the Commission was that consistent or effective discipline was lacking at the Oakalla Women's Correctional Centre in the past few years.

The line staff who testified seemed to be of the view that there had not been sufficient response by management to this problem. On the other hand, certain of management took the view that staff members had failed to deal with problems at their own level and had merely passed them on to management, often in essentially minor matters.

1. Policy

Evidence from several sources told us that a lack of policy meant that every day "the rules of the game changed".

Inmates learned quickly which staff members could be, and consequently were, manipulated.

Oakalla staff member Miss T. Frances told the Commission

> ". . . as the staff have no authority, the inmates in turn run the staff, so that therefore they run the institution."

The Commission was told by staff member Mr. J. Ellerbeck that OWCC has been very lax and casual, "more like a con-run half-way house" where the inmates called the director and his deputy by their first names. He went on to say that in his opinion the inmates want the policies enforced because "it is the inconsistencies that are driving everybody really bats."

It was the feeling of some who testified that the staff are not disciplined either. Inspector Nichclls, of Inspection and Standards, said,

> "Nobody knows where they stand there now and I think this is the problem between the staff and inmates . . . there's no discipline."

Dr. G. Richomnd, former chief medical officer at Oakalla, said,

> ". . . you have got a leader in charge, that that leadership is reflected in every person of the staff and inmates and every part of

> the institution. And where you lack leadership, you are going to get a disintegration of the establishment."

The Commission shares Dr. Richmond's opinion and believes that OWCC would improve staff morale if a consistent disciplinary policy were introduced and enforced.

2. Frisking

Another problem in the area of discipline that was raised before the Commission was the presence in the rooms at OWCC of vast quantities of personal belongings. Items like makeup and toiletries apparently make searching the rooms or "frisking" as it is called, very difficult.

Several staff members emphasized to the Commission the need to limit personal possessions kept in rooms by the inmates. The Commission does not see that restrictions placed on the inmates' possessions in their rooms is unrealistic. Determining quantities would be a suitable function for an inmate-staff committee to discuss but the administration will have to make the final decision in this area.

3. Gaol Rules and Regulations

The Commission heard numerous complaints that confusion has existed for the past several years over the issue as to whether or not the *Gaol Rules and Regulations of 1961* were or were not in effect. The confusion appeared to stem in large measure from the fact that for quite some time past these Gaol Rules have been in the process of being replaced by new regulations. A draft of the new regulations was filed with the Commission.

Mr. B. Robinson, Deputy Director of Corrections, was asked why it is taking such a length of time to replace the old rules (indeed they are not yet replaced). He replied,

> "each time a draft would be concluded . . . a new set of questions would be raised . . . that would result in their being re-examined and revised once again".

He added that there

> ". . . was a lack of concensus with respect to what ought to be in the regulations, both within the branch and external to the branch".

This unhappy situation of confusion over what rules were or were not in effect was further aggravated by the fact that in view of the apparent imminence of the new regulations, copies of the old rules were scarce and were not widely available to staff and inmates. The Commission finds the delay in getting these new regulations into place, (a delay apparently of about four years) inexplicable and inexcusable.

The Commission finds it very hard to appreciate why in this relatively sensitive area some determined effort could not have been made to resolve an issue that has caused serious concern among staff and inmates.

It seems strange that an organization that can go through all the changes that the Commission was told about, cannot complete something as relatively straightforward as a revision of the previous *Gaol Rules and Regulations*.

As noted above, the Commission finds the inordinate delay herein totally unacceptable. I can only express the hope that the new regulations will be proclaimed and publicized to staff and inmates without further delay.

It may be that the new regulations will require amendments in certain specific areas after the working of them has been tested. In general, the Commission feels that the proposed new regulations are an improvement on the old rules, both in their relevance to the way institutions are run today and in their general approach to discipline.

4. Disciplinary Panels

One feature of the Gaol Rules and the proposed new regulations that was the subject of considerable discussion before the Commission was the composition of disciplinary panels. The Commission was privileged to hear from Professor M. Jackson who has done considerable research in this area, more particularly in the federal corrections system. He was firmly of the view that serious disciplinary matters should be dealt with by independent third parties unconnected with either prison administration or inmates. The Commission was advised that this has been tried in the federal system and that it has apparently worked in a positive fashion.

On the other hand, Mr. G. Nordby, Director of the Westgate Unit at Oakalla, was very firmly of the view that this whole question of discipline should be dealt with by the senior administrator of the institution.

Senior Correctional Officer Mrs. A. Powers was asked about the desirability of employing some outside decision maker to deal with the disciplinary courts. She felt there would be a serious risk of undue delay having disciplinary matters resolved if such a system were to be introduced.

Mr. E.W. Harrison was asked about the issue and replied:

> ". . . I believe that objective assessment, independent assessment is desirable. I will admit that I'm not terribly happy with warden's courts or director's courts conducted at the present time."

As the former director, Mr. Burns, noted, it is a very difficult position in which to put a warden or director to have to decide matters between his or her own staff and inmates. If the inmate charged is exonerated, there may be a feeling of resentment on the part of the staff and complaints of the failure of the director to back up the staff.

On the other hand, the inmates may regard the whole procedure as a "kangaroo court". One of the inmates said that inmates at disciplinary hearings felt they were "guilty as you walk in the door". This perception can cause feelings of bitterness and frustration among inmates.

The Commission has heard a veritable litany of complaints from staff and inmates surrounding this thorny issue of discipline. It is the view of the Commission, having assessed all of the evidence, that a great many of these complaints could be met by having serious disciplinary matters in women's institutions dealt with by an independent tribunal.

The tribunal should be one individual, simply because the exercise of assembling a number of people to sit as a hearing committee is time consuming.

It would be essential, in the view of the Commission, that the person hearing these matters have some training and experience in the conduct of hearings. For instance, a person with some legal or judicial training probably would be well suited to conduct such hearings but certainly there are many others who could also perform such a task.

An inmate should have the right to cross-examine and the right to call witnesses. There was some concern expressed to the Commisison that this could result in abuses because inmate cross-examinations might cause inordinate delay. Surely this is a matter that a capable hearing officer can deal with in adequate fashion.

It was further suggested to the Commission that inmates be granted the right to counsel, and that the proceedings might be generally modelled on the proceedings in a criminal trial. This procedure would be unwise in the view of the Commission. One of the fears expressed by many who testified before the Commission (and in the opinion of the Commission a very legitimate fear) was that disciplinary proceedings could be drawn out and delayed unduly with addition of legal counsel.

The present director of the Oakalla Women's Correctional Centre, Mrs. Peacock, noted that it was desirable that these matters be resolved speedily. The Commission is fully in accord with that sentiment; it is of the utmost importance that disciplinary matters be dealt with expeditiously.

The Commission cannot be certain that such an innovation as suggested, namely, the hearing of these matters by an independent adjudicator, will solve all of the problems surrounding this issue. It does appear to the Commission that it would go a long distance toward resolving many of the complaints that have been heard about this matter.

5. Isolation

Another concern in this area of discipline that arose before the Commission was the question of the use of isolation, also termed disassociation or confinement, in the segregation cells.

Mrs. C. Culhane of the Prisoners' Rights Group testified that isolation or segregation punishment is

> "...cruel and unreasonable confinement. The sense of deprivation that takes place [causes] irreparable damage. It simply serves to isolate a person and destroy their ability to deal with their problems. I think this type of isolation reacts on both parties, it acts on the party who have the authority to relegate them to such a situation as well as the victim".

Inmates who testified before the Commission indicated that on occasion persons with psychiatric problems were put in isolation. The inmates went on to say that they did not view solitary confinement as an effective mode of punishment.

They felt there were many alternative punishments such as unpleasant work details, loss of remission and privileges. An inmate also complained that when put in solitary confinement it was impossible to get any exercise.

The Elizabeth Fry Society stated in their brief to the Commission that initially, alternatives such as loss of privileges should be used. However, Mrs. M. Brager of the society admitted,

> ". . . there comes a time when removal from the population is certainly helpful to both the individual, it can quiet them down, and also to the group or the rest of the institution."

The B.C. Federation of Women, speaking through Ms L. Rudland, recommended that solitary confinement be abolished completely because it is cruel and unusual punishment.

On all the evidence that the Commission has heard it is not possible for the Commission to conclude that the use of isolation or segregation ought to be abolished. It is an option that must be available to an institution in the interests of good order and discipline.

The Commission must add that it should be used judiciously and sparingly and only in the most serious incidents.

On this issue of segregation or isolation, there was some discussion of the adequacy or inadequacy of the facilities of the Oakalla unit. It came to the attention of the Commission that those segregation cells located under the old cow barns on the Oakalla grounds had, on occasion, been used to contain women prisoners sentenced to segregation or isolation. The Commission had the chance to examine this facility and heartily concurs with Dr. Richmond's comment: "It certainly shouldn't have been used for women."

The Commission had the opportunity to examine the other segregation cells within the institution. While that area, in common with the entire Oakalla women's unit, suffers from defects of age and poor design, it is not the view of the Commission that this area was of a type or standard that rendered it an inhumane place for keeping individuals requiring segregartion or isolation.

In its brief to the Commission, the Elizabeth Fry Society indicated that this segregation area was badly ventilated, allowed little light or fresh air and the plumbing facilities were said to be old and nonfunctional. On the other hand, Mr. Ellerbeck, Security Officer at OWCC, indicated that in his view the segregation area was not an uncomfortable place to be -- as he said: "If I was under punishment and that was the worst they were ever going to do to me that ain't bad."

This sort of area can all too easily be allowed to deteriorate. The Commission does respectfully venture to suggest to those in authority that especial vigilance be maintained to be certain that people who are kept in these facilities are kept in a humane manner with due regard for proper standards of health and nutrition.

Before leaving this question of discipline one other matter requires a brief comment. Discipline of inmates is not solely an institutional responsibility -- one aspect of it depends on consistent and firm action by Crown Counsel and the courts. The Commission was disturbed to hear, especially from the Twin Maples Unit, about what appeared to be inadequate sentences imposed for charges of escape and being unlawfully at large.

I also heard about people who were sent to Twin Maples and Oakalla and subsequently escaped. The Commissioner was told, when in Washington, that the incidence of escapes there was very low and the authorities attribute this in large measure to the fact that the courts dealt quite severely with escape incidents. This is one area where the courts are called upon to deal firmly with an offence.

Mrs. Drew told the Commission that she had arranged with the Crown Counsel Office that she would deal internally with some incidents but in others, deemed more serious, charges would be laid. It is my view as Commissioner, a view supported by judgments of our Court of Appeal, that escape matters must be treated firmly by the courts. This offense striking as it does at the heart of institutional discipline merits severe treatment. Failure to deal with it firmly can seriously erode the efforts of an institution to enforce effective discipline.

E. CO-EDUCATION

RECOMMENDATIONS 15 to 17

THE COMMISSION RECOMMENDS that:

15) the co-correctional programme at Prince George be discontinued immediately;

16) Twin Maples remain as presently constituted;

17) no further co-correctional facilities be established elsewhere in British Columbia.

Co-correctional institutions is a recent concept introduced in Canada and the United States of America, in an attempt to create a more normal living atmosphere, and to change behaviour patterns of the inmates.

B.C. Corrections made an attempt to introduce such a programme in the facilitiy at Prince George in 1974. One living unit with 26 cells in a male prison was used to house the females. Unfortunately, there were rarely more than 13 and sometimes as few as six female inmates. The average seemed to be approximately 11 inmates. The male population fluctuated between 120 and 140.

The only sharing of activities took place in the tailor shop, laundry area and in the classroom. No women were permitted in the kitchen or in the hobbyroom. The staff in charge of these areas had no hesitation in telling the Commissioner that if both sexes were permitted in these areas, the inmates' time and energy would be spent in attempting to have physical contact.

The Commissioner learned that in the evenings there was a two-hour socializing period in the gymnasium, and that inmates attended church and the movies together. The rules were clear and strictly enforced that there be no physical contact. The "look but don't touch" rule applied.

When the Commission learned why the facility was introduced it became obvious that no effective prior study had been made into the feasibility of such a "co-ed" programme.

Mr. Bjarnason, Director of Oakalla District and former director of Prince George, told the Commission that five or six years ago the question of a northern facility for women was "kicked around". A combination of influences, including overcrowding at Oakalla and some press publicity, prompted the establishment of the female wing at Prince George.

Prince George was opened for reasons which appeared expedient. As stated earlier, there were only eight female inmates, two of whom were native, when the Commission visited. When queried about this disparity in numbers, Dr. Ekstedt admitted that,

> ". . . too much of a disparity is self-defeating or counter-productive."

The Commission agrees.

In a survey to determine the success of the Prince George "co-ed" programme, the chaplain, H.R. Morgan, was told by staff and inmates that there was a noted improvement in personal hygiene, improvement in dress and less use of abusive language. As well the male-female companionship boosted morale.

Measured against this were disadvantages of conflicts and jealousies (eight women for 140 men); sexual frustrations; intensified emotional depression; the detrimental effects of jail romances on outside life; and inmate-guard romances. The advantages seem superficial and are, in the view of the Commission, heavily outweighed by the disadvantages.

The situation in the United States of America, more specifically at Pleasanton Correctional Centre was described by our researcher Mrs. Scott as follows:

> "At its peak in the United States there were a dozen co-correctional facilities with populations of up to 2,000. The trend today is away from mixing male and female inmates and only a few institutions remain 'co-ed'. After a three and a half year trial, Pleasanton Correctional Centre in California recently returned to an all female institution.

> Administrators there suggested that other American institutions will be following suit this year."

Comment must be made on the situation at Twin Maples at this point. This institution is a minimum security facility and houses an average of 30 females. On occasion, at one end of the central hall, Twin Maples houses one or two males. These are carefully selected by Mrs. Drew, the Local Director, and are nearly always older alcoholics who have been classified to the nearby Alouette River Unit. These male prisoners are required from time to time to assist with work at the farm at Twin Maples. Mrs. Drew told the Commisison that if there are any problems the males are returned to ARU immediately. This Commission does not view Twin Maples as co-correctional and it should remain as it is presently constituted.

Mr. Jack, the Regional Director for Vancouver Island, has suggested to the Commissionthat some"co-ed" facility be introduced on Vancouver Island. This Commission is satisfied that because of the few females involved -- nine at most -- a facility in the terms described by Mr.Jack is not warranted. Mrs. Peacock's evidence indicated six inmates at the present time are in Oakalla from Vancouver Island. The Prince George situation should not be repeated on Vancouver Island.

F. PROGRAMMES

1. Work Programmes

RECOMMENDATIONS 18 to 25

THE COMMISSION RECOMMENDS that:

18) laundry equipment be up-dated and one staff member be assigned to supervise;

19) one staff member continue to supervise the kitchen on a regular basis, in addition to training inmates in specialized food preparation;

20) one staff member be assigned responsibility for housekeeping crew and supplies and that inmates on remand should generally be involved in the maintenance programme;

21) one staff member be assigned to supervise an outdoor maintenance crew and train its members in landscaping;

22) the budget for the sewing programme be increased and that this programme be expanded;

23) staff member be assigned to supervise and train inmates in the beauty parlour and that modern equipment be installed;

24) one person be assigned responsibility to co-ordinate volunteers;

25) inmates in every work programme be enabled to earn certification from outside bodies for training received at OWCC.

This Commission was appalled by the lack of work and recreational programmes available to inmates at the OWCC. The Commissioner and Commission Counsel, particularly Miss Rounthwaite made frequent visits to the women's unit. They found the majority of women sitting in dreary dayrooms, smoking cigarettes, drinking coffee, engaging in desultory conversation, or watching television. The omnipresent lack of useful or interesting activities could be observed at any time of the day or evening.

Women on each of the living units expressed to the Commissioner their desire to work and their wish for programmes to occupy their time. Several inmates recalled with apparent enthusiasm the work and programmes available in the "old days" under Miss B. Maybee.

In an interview with Commission Counsel, Miss Maybee advised that one of the goals was to ensure that inmates were occupied throughout the day. The OWCC under her directorship ran on a tight schedule with inmates reporting for work in the morning, being given coffee breaks, and reporting for social or recreational activities in the afternoon.

The Commission can imagine that many of the staff complaints about inmates may stem in part from frustration resulting from the enforced inactivity and boredom. A woman would have much less time to cause dissention or to plan an escape, and perhaps less inclination to do so, if she were occupied for a major portion of the day.

Recommendation 2 of the Elizabeth Fry Society reads as follows:

> *that every inmate who is capable be required to work or attend school and that idleness and lack of gainful activity not be permitted.*

"There is little chance of an inmate changing her lifestyle upon release if she is unwilling, unable or unfit to work. There are no elements which are more destructive to prison life than idleness and boredom."

The Commission understands that this is in fact the policy at OWCC and that women who refuse to work are locked in their rooms for the day. But the Commission also understands that in practice there is insufficient work to keep all the inmates engaged productively during a full day.

Counsel and I were frequently advised that the majority of women who are involved only in building maintenance, complete their duties during a half hour period and are then left with nothing to do for the rest of the day.

The co-called programmes which now exist are admitted by all those responsible to be woefully inadequate. Of the five programmes available -- laundry, kitchen, sewing, beauty parlour, and education -- three are for the maintenance of the institution.

Women in Corrections expressed the opinion that

> ". . . there's a difference between working at a job which is to maintain an institution and working at something which is going to benefit you as an individual."

The Commission's recommendations regarding programmes are contingent upon the early erection of a secure perimeter fence. It is felt that such a fence would diminish the security risk when inmates are allowed to leave the building to attend school or work programmes in the cottages and on the grounds.

The Commission wishes to comment on the following specific existing programme areas. These comments are based on observation and interviews during visits to OWCC, as well as on the evidence.

a) Laundry

The Commission has been advised that equipment in the laundry room is out-dated, and that supervision is frequently ineffective because staff with no experience whatsoever may be assigned to supervise laundry workers.

Certain inmates have indicated that the laundry facilities could be run efficiently and serve to keep a number of inmates busy during the day. This could happen if equipment were updated, and a single staff member were assigned on a regular basis to supervise the operation and thus develop some expertise in its administration.

b) Kitchen

The kitchen appears to operate solely for the preparation of meals, and this does not require a full day's work by the inmates. There were few criticisms by staff or inmates of the operation of the kitchen. Inmates seemed to like working there. This may be attributed to the fact that there has apparently been one staff member in charge of supervision of kitchen work for a considerable length of time, and that routines have been established.

The one criticism the Commission heard in this area was that occasionally an untrained staff member has been put in charge of the kitchen, and that this, predictably, causes problems. It should be noted that apparently some inmates have elected to work double shifts, attending at the kitchen for preparation of the evening meal, following their day's work in the laundry or tailorshop. This is one way in which an inmate can increase her earnings.

The Commission suggests that, if it is true that preparation of meals does not consume the entire working day, the staff member in charge of the kitchen initiate some training in food preparation, or specialized food skills like cake decorating or catering. It is understood that such programmes are carried on at Twin Maples.

c) Maintenance

A very high percentage of inmates was apparently involved in no other work programme than the cleaning of their living units. With five or six women in a living unit sharing the responsibility of maintaining that unit, cleaning chores consumed very little time.

Inmates indicated in interviews with Commission Counsel that their efforts even in this area were hampered by lack of supplies. They expressed the desire to do a better job of cleaning their units, but indicated, for example, that it was impossible to wax the floors when wax could not be obtained.

The Commission adopts the suggestion of Mrs. D. Kirk that one staff member be charged with the responsibility of obtaining such supplies and making them available on every unit.

It is further suggested that maintenance is an appropriate work programme for women on remand. Most sentenced women should have more interesting or useful work programmes available to them.

d) Outdoor Maintenance

The Commission understands that at some times of the year one or two women are employed in maintaining the grounds at OWCC. Judging from the general appearance of the grounds, a great deal of work has not been put into this programme.

It was suggested by Mrs. M. Brager that inmates could be given training in landscaping and could then put that training to practical use on the Oakalla grounds. Again, it is suggested that one staff member be assigned to lead an outdoor maintenance crew. That staff member would have to train him or herself in rudimentary landscape or gardening techniques.

The Commission believes that such a programme would have the dual effect of making and keeping the prison grounds attractive, and employing and training some inmates.

e) Sewing

The Commission heard evidence from Mrs. D. Kirk describing the sewing programme which she runs in a cottage separate from the main building. She said that six women work under her supervision, spending the mornings producing garments for use in provincial institutions, lunching with her in the sewing hut, and then spending the afternoon working on their own projects.

Mrs. Kirk was asked why her programme had not encountered the usual problems of absenteeism, foul language, escapes, riots, vandalisms or altercations of any kind. Her reply was;

> "Consistency and orderly routine, clearly stated communication with each girl regarding house rules, assigning the responsibility of the daily operation to the inmates, provision of high interest projects to eliminate boredom, time spent with each person in a genuine attempt to help with plans and problems . . ."

The Commission wishes to applaud the efforts of Mrs. Kirk and has concluded that her sewing programme is the only one in the OWCC which is functioning on a productive basis.

The Commission therefore urges that Mrs. Kirk be given the necessary budget to expand her programme to its maximum capacity of 24 as proposed by Mrs. Kirk.

Mrs. Kirk was asked whether she believed that there were enough women in the unit who would be interested in the programme. She felt that interest was high; it is materials, staff and money that are lacking.

Because staff shortage is one of the major problems in instituting new programmes, the Commission believes that existing programmes should be improved and expanded, especially ones which seem to be working.

The Commission further submits that in the sewing hut, as well as in any other programmes where this is possible, attempts should be made to enable women who complete training courses to acquire outside certification.

Another problem which has been mentioned concerning the provison of programmes, facilities and equipment for inmates is the possibility that any equipment provided for inmates will be damaged by them. Mrs. Kirk stated that her sewing machines are in good to excellent condition and that she rarely gets a broken needle.

The Commission also heard evidence that the sewing programme was subject to a chronic shortage of material. The Commission, submits that sufficient material must be available for "high interest projects" in the sewing programme as well as for the production of institutional clothing.

Inmates should be encouraged to sell sewing and handicrafts which they produce, and outlets should be established for such sale, either through volunteer organizations or the informal contacts of staff members with shops and craft outlets. A system could be instituted whereby inmates would pay for materials used for private projects from monies received for these projects.

f) Beauty Parlour

The Commission has heard that the beauty parlour is an ineffective training opportunity for the following reasons:

- staff shortage. Although there is at least one certified beautician on the staff, it has apparently been impossible to operate a programme in the beauty parlour because those people capable of supervising it are required for custodial duty on the unit.

- outdated equipment.
- lack of certification for any training received.

Miss Maybee advised Commission Counsel that under her programme, a woman who completed a training course in the beauty parlour at OWCC was escorted outside the jail to take hairdressing exams. If successful she was certified by outside organizations. The Commission suggests that a staff member be assigned to train and supervise inmates working in the beauty parlour, that modern equipment be installed, and that this supervising staff member must have no responsibility for security on the upper hall while she is in charge of the beauty parlour.

g) Non-Traditional Jobs

The budget and facilities at OWCC make the provision of non-traditional training programmes impracticable at present. It is hoped that if new facilities for women are constructed they will include facilities for training inmates in work which is not traditionally female.

h) Volunteers

The Commission believes that if the budget of OWCC will not allow for the hiring of more staff to upgrade programmes, it must make increased use of volunteers. The Commission suggests that someone be given responsibility for co-ordinating volunteers. This could be a senior staff member, a part-time employee, or a volunteer co-ordinator.

Volunteer assistance could be used as follows:

i) to help Mrs. Kirk in the sewing programme concentrating on crafts;

ii) to train inmates in food preparation of various sorts in the kitchen;

iii) to train inmates in landscaping for the outdoor maintenance crew;

iv) to help Mr. Hartley at the school by tutoring, specializing in English as a second language, or other academic and practical studies;

v) to teach typing and office skills to interested inmates who might then practice in Mr. Hartley's typing pool;

vi) to act as librarian for the new library;

vii) to help the recreational director in athletic and gymnasium activities.

The Elizabeth Fry Society has gone on record as having members who are capable of teaching in some of these areas, and who are willing to do so. They say that the impediment to full utilization of all volunteers has been disinterest on the part of the administration of the women's unit.

i) Organization

The Commission is not suggesting that a new staff member be hired to supervise each of the programme areas outlined. The Commission does feel that if there is sufficient work for every inmate, and if she is told that she must work or go to school, then those few inmates who elect not to work can be detained in their own rooms during the day. Therefore only a small number of staff would be needed to supervise the units.

This would free the former "babysitters" to direct the programmes. The Commission realizes that the Component Agreement between the B.C. Government and the B.C. Government Employees Union requires staff acting as instructors to be qualified, but feels that staff members' qualifications could be upgraded quite quickly.

Inmates awaiting trial can be involved in the simpler work porgrammes which contain minimal elements of training. They would appear most suited to maintenance and cleaning, perhaps outdoor maintenance, and some laundry and kitchen work. Involvement in programmes such as these would allow the remand inmate to busy herself during her time spent in jail awaiting trial. However, she would be ableto leave the institution on short notice, if released on bail or acquitted at trial, without either substantially disrupting the work programme or wasting training by not completing the programme.

The Elizabeth Fry Society and inmates suggested that inmates should be paid the minimum wage for their work in the prison. The Commission did not hear enough evidence concerning this proposal to make any recommendation.

The Commission heard from Mr. J. Ellerbeck, Mrs. R. Perreault and others about attempts made by the staff to initiate programmes during the last few years. It can sympathize with the discouragement and frustration no doubt experienced by staff members who invest time and enthusiasm in a programme, only to have it ignored by their superiors.

The Commission advocates that the administration encourage staff input and initiative with regard to programmes, recognize such efforts, and utilize them wherever possible. At the very least, a staff member who takes extra time to design a programme should receive a considerate reply, and reasons for delaying or rejecting the proposal.

The Commission emphasizes that wherever inmates can be prepared at the institution to sit and pass examinations established by bodies outside the institution, this should be arranged. Where work programmes do not lend themselves to certification, some recognition should be given to good workers.

The Commission received a written brief from a staff member, Mr. G. Craig, outlining his concept of the operation of a "phase programme" at OWCC. This programme is based on the designation of various living units by the number of privileges accorded to their occupants. Each inmate on admission would begin at the bottom, maximum security phase and unit, and would be able to earn promotion to another phase and unit by good behaviour. Bad behaviour would result in demotion. The highest phase at OWCC would be the panabode, and from there one might proceed to Twin Maples or Community-based Residential Centre. Mrs. Peacock indicated support for this type of approach.

The Commission suggests that a programme based on this approach would be desirable although the physical structure of OWCC makes such a programme difficult to adminster.

2. Educational Programmes

RECOMMENDATIONS 26 to 30

THE COMMISSION RECOMMENDS that:

26) a cottage be refurbished for use as a library and funds be made available immediately for books and supplies;

27) a cottage be refurbished for use as a school room, and that the school budget be substantially increased;

28) the OWCC school be authorized to award certification for grade completion;

29) an orientation programme be established at OWCC;

30) life skills training and counselling be introduced at OWCC.

OWCC school teacher Mr. R.C. Hartley's testimony was a catalogue of initiative blunted, efforts stymied, and frustration evidenced among those staff members who have attempted to get programmes going or improve existing ones.

Hartley testified: "60% of my efforts is getting things done."

a) Library

The saga of Mr. Hartley's attempts to improve the almost non-existent prison library is a good example. "Well I just made it my business, trying to get the library set up." Mr. Hartley testified that he attempted to persuade friends to donate books; he asked two stores for donations, then was told by corrections he couldn't beg ($500 was then allocated for book purchases); and personally sorted through the library at Haney when it closed down.

The Commission advises that a second hut should be refurbished for use as a library and a quiet place for inmates to read or write letters. The Commission further counsels that some funds be employed immediately to provide an adequate library for the female inmates.

b) School

Mr. Hartley testified that during the past two years he has taught between six and 12 students generally requiring instruction at a level from grade six to ten, under extremely adverse conditions. He was first housed in a dilapidated hut. The school presently is inside the main OWCC building for security reasons. He is relegated to a dark, dingy room which forms part of a living unit, and is therefore subject to noise and disruption from radios, television and inmates.

The Commission urges that one of the cottages outside the main building be given the necessary clean-up -- I was told that painting and installation of a heating system would be sufficient -- and used as a school room. The Commission also submits that Mr. Hartley's budget should be increased to allow him to purchase the supplies necessary to run a school. I was dismayed to hear that Mr. Hartley had to scrounge the paper for his students to publish a newspaper.

The Commission believes that inmates should be encouraged by the message from Mr. Hartley that it is not necessary for an inmate to be serving a very long sentence in order for her to benefit from the school programme.

> ". . . when they work very hard, and they usually do work hard and have lots of time on their hands, I can usually let them up another grade in three months."

The Commission advocates that the school be authorized to award some sort of certificate for completing grades.

The Commission further advises increasing the budget for the school to enable Mr. Hartley to undertake the various programmes he has proposed, including the following:

- English as a second language;

Mr. Hartley testified that this would only require a kit, the right books and he could do it himself. He could use inmates to teach other inmates. The Commission agrees that the use of inmates as tutors should be encouraged.

- the establishment of a typing pool;

Mr. Hartley testified that he has been waiting for typewriters for nine months: the Commission considers this a shocking state of affairs. The Commission further believes that a typing pool where people with basic typing skills could improve them, and others could acquire them is essential.

c) Newspaper

The Commission was encouraged to discover that the inmates publish a newspaper at OWCC. This is a positive step by the women involved and demonstrates good initiative and an attempt to occupy themselves constructively. I wish to congratulate Mr. Hartley for his sponsorship of the endeavour and the inmates involved for their work in writing and printing *New Dimensions*.

The foregoing suggestions need cost very little and are the sort of thing that would contribute much in our view to a happier institution. It is a case of saving pennies and wasting dollars

d) Orientation

The Commission adopts Recommendation 5 of the Elizabeth Fry Society:

> *that the facilities and courses offered within the institution be publicized and inmates be encouraged to participate in them.*

> *"At this writing there are only five students out of a population of 82 who are attending school. This number could increase if more and better courses were offered and if the inmates were made aware of these courses."*

The Commission believes that information on programmes, school and recreational facilities as well as on *Gaol Rules and Regulations* should be made available to new inmates. The Commission feels that the suggestion made by several groups that an orientation or initiation programme should be instituted for new admissions, is a good one.

The Commission suggests that one staff member might work with a team of inmates to organize and carry out orientation interviews with new inmates. It might be arranged that an inmate volunteer would see every new admission soon after arrival for a one-to-one information session and that a senior staff member might subsequently meet with a group of new admissions to explain rules and an information sheet which had previously been made available. I understand that the present administration at OWCC is attempting to initiate such a programme. However, they are hampered in these efforts by the union contract. This Commission would hope that the union would help to overcome what would appear to be a very small hurdle.

e) Life Skills Training

Several witnesses suggested to the Commission that training in life skills should be given to the women at OWCC.

The Commission agrees that it would be useful for inmates to learn the fundamentals of such practical matters as preparing a resume, applying for a job, or budgeting funds. It would appear that volunteers would be ideally suited to teach such a programme, and that it could be structured to accommodate remand women who might only attend for a period of a few days.

The Commission was told that six inmates have recently participated in a self awareness programme conducted by volunteers from Simon Fraser University. This would seem to be a step in the right direction.

f) Counselling

The Commission has heard evidence that at OWCC, prior to the directorship of Mr. Burns, and at present at Twin Maples, each inmate was assigned a staff member as a counsellor. The Commission believes that such a system might have salutary effects in increasing communication between staff and inmates. It would also work to reduce the armed camp atmosphere which seems to exist between staff members especially fearful of assault, and the inmates who are feared. This system might be re-instituted as a part of the "team management concept", whereby certain staff are assigned to work with specific units on a regular basis. I understand that Mrs. Peacock is attempting to institute such a system.

3. Recreational Facilities

RECOMMENDATIONS 31 to 33

THE COMMISSION RECOMMENDS that:

31) inmates spend at least one hour outside everyday;

32) the recreational director be relieved of his custodial duties, and that a budget sufficient to provide and maintain equipment be made available;

33) volunteers continue to be used for social and recreational activities and that the union members not be discouraged from participating.

a) Outdoors

The Commission believes that all inmates have a right to fresh air and outdoor exercise. We have heard that some inmates have not been out of doors since October. The explanation given has been a staff shortage.

The Commission believes, however, that some arrangements must be made to ensure that every female inmate can spend one hour outside everyday. This is one area where the men at Oakalla have an advantage. With a secure perimeter fence, it should be easier to allow inmates to spend time on the grounds. But the Commission believes that even prior to the erection of the fence, staff must be made available to supervise outdoor activities.

b) Gymnasium

The Commission has been told that at various times the women's unit has had a staff member designated as a full-time recreation director. Mr. Nordby served this function under Miss Maybee, and subsequently brought a male correctional officer into the women's unit for this purpose.

The Commission understands that the male staff member presently designated as recreation director is frequently required to perform custodial and supervisory functions on the living units.

The Commission believes that the gymnasium should be open in the evenings and staffed by a single individual prepared to organize recreational programmes. This staff member should have no security duties while the gymnsium is open.

The recreation instructor should have a budget sufficient to provide decent equipment for the gymnasium. Other places should be found to store furniture.

c) Volunteers

The Commission is aware that the major recreational programmes which have functioned in the women's unit have been dances and meetings sponsored by volunteer groups. The Commission recognizes the contribution of such groups and believes that they should continue this role.

A person assuming the role of volunteer co-ordinator might be able to assist these groups in organizing more and better recreational activities for the inmates. Sports activities such as volleyball games or baseball games with staff or volunteers are probably good activities to encourage.

This Commission would hope that the union would allow its members to participate in occasional recreational or social events with the inmates without complaint.

d) Supplies

The Commission believes the evidence of staff and inmates of the women's unit that it has, in the past, been very difficult to obtain supplies from Mr. C. Munns, the former business manager. His own admission that he has three television sets in storage in case any in the institution breakdown, while 125 men share one set in a wing of the men's unit, shows an astonishing system of priorities. Mr. Munns further testified about the extent of his stock;

> "I have got baseball bats that I have not been asked to supply, I have got the shuttlecocks, I have got badminton racquets and I don't normally put these into the institution unless I am specifically asked by senior staff."

Surely the staff should be advised of what stock is available so that they then might make requests to obtain such items.

4. Welfare Fund

RECOMMENDATIONS 34 to 36

THE COMMISSION RECOMMENDS that:

34) the inmates' Welfare Fund be placed in an interest-bearing account;

35) all decisions for payment out of the Welfare and Group Funds be approved by a committee of staff and inmates;

36) a clerk with accounting and bookkeeping qualifications be appointed at OWCC.

a) Books and Interest

The Commission suspects that the Welfare Fund at OWCC has been badly managed.

The Commission found the books of Mr. C. Munns, former business manager of the women's unit, difficult to understand and even when provided with explanatory receipts, it was left with a certain number of questions regarding entries. The Commission recommends that welfare monies be kept in an interest-bearing account; otherwise substantial interest revenue is lost.

b) Secrecy

The Commission was shocked by Mr. Munns' initial refusal to testify to the amount of money in the Welfare Fund and his explanation that if the inmates knew they would only wish to spend it.

Mr. Munns testified with regard to the amount of money in the group funds; "I don't make a point of telling inmates because it could be inflated or changed."

The Commission believes that the secretive attitude exhibited by this statement can only cause problems in an institution. Surely the administration should be open in as many areas as possible in order to avoid speculation and frustration by line staff and inmates. This seems another example of poor communication within the institution.

The OWCC Welfare Fund on March 3, 1978 amounted to $1,301.84 in cash plus $800 worth of materials in the canteen and $200 worth of materials for prizes so that the actual value was over $2,000.

c) Inmate Participation

The Commission believes that the Welfare Fund is money belonging to the inmates as a group and should be administered by them. The Commission heard evidence that Mr. Hofseth and Mr. Munns had used Welfare Fund money to replace an article belonging to an inmate which had been lost in admitting. The Commission considers this an improper use of the Welfare Fund.

The Commission believes that participation in the administration of the Welfare Fund is one of the few areas in which inmates can exercise some control over their own lives while in the institution. The Commission therefore believes that all decisions for payment out of the Welfare Fund should be approved by a committee of inmates.

d) Guidelines

Mrs. Drew, Local Director, of Twin Maples, advised the Commission that there are no written rules for payment out of the fund but that this is left to the discretion of the person in charge of the unit. She also advised that she had been instructed by her superiors on one occasion to take money from the Welfare Fund to reimburse an inmate for the loss of a ring.

The Commission feels that written guidelines must be established for payment from the fund and that reimbursement for individual loss, which is the fault of the institution or a staff member, should not be allowed.

e) Suggested Uses

The Commission noticed that several women at OWCC had decorated their own rooms attractively, obviously having sewn curtains and bedspreads. The Commission suggests that monies might be issued from the Welfare Fund to each unit to allow for decoration of the dayrooms by the inmates.

The Commission further suggests that money might be spent from the Welfare Fund to provide supplies for crafts. Such monies could then be reimbursed to the fund on the sale of the crafts.

The Commission considers the greenhouse project, apparently undertaken at Twin Maples, to be an excellent use of Welfare Funds. Mrs. Drew told us that residents at Twin Maples were able to use government funds to buy soil and sawdust for a greenhouse, and then obtained seedlings with money from the Welfare Fund. They plan to sell bedding plants at a spring tea.

f) Business Manager

Mr. Munns testified that if the women's unit were to become autonomous he does not want to be the business manager again unless there are radical changes. He said he has had "a most harassing three years". The Commission concludes that a new clerk should be appointed for the accounting and bookkeeping responsibilities for the women's unit.

g) Canteen

With regard to the canteen list, it is suggested that, where feasible, inmates' complaints about prices be considered by the administrator.

5. Twin Maples

In this section, as in several others, a great deal need not be said about the Twin Maples facility because the Commission is of the view that programmes there are reasonably adequate. Staff and inmates appear to be working together to continue and to improve these. A former inmate of Twin Maples, Miss V. Riches, said, succinctly, "...the programmes are ideal."

According to the Local Director, Mrs. P. Drew, these programmes include volunteer work in the community, night school courses, work releases, gardening in the summer, and doing road maintenance for the municipality. Twin Maples also appears to make good use of all volunteer services, having in the past utilized Elizabeth Fry workers to escort inmates, to assist with Legal Aid, and to introduce special interest programmes. Mrs. Drew testified, "In the evenings we have so many programmes we can't fill all the programmes coming in to us at the moment."

6. Other Facilities

Since the Commission is recommending that the Prince George and the Lynda Williams units be closed, it is not necessary to discuss programmes at these facilities. The Commission believes that the CBRC's should not have problems with programmes as their residents are intended to be working or attending school in a more normal living situation.

7. Temporary Absences

RECOMMENDATIONS 37 to 41

THE COMMISSION RECOMMENDS that:

37) the delay in processing applications be minimized;

38) inmates be accorded the right to attend the panel hearings of their applications and to make oral submissions;

39) inmates have access to all information presented to the panel with regard to their applications;

40) inmates be given full reasons for the decisions of the panel;

41) inmates in the panabode be eligible for temporary absences while at OWCC.

The temporary absence programme is one in which an inmate is authorized to be absent from the institution for a specified length of time, for specified purposes. These can vary from shopping, to family visiting, to attending a funeral, to attending school or work daily.

The Commission considers this programme a desirable one, enabling inmates to adjust to life in the community while remaining under supervision and providing a goal to which inmates can aspire while in the institution.

Miss D.E. Edgar, classification officer at OWCC, testified that in order to obtain a temporary absence, a female inmate submits a written application outlining her reasons for the request. On receipt of the form Miss Edgar applies to have probation services conduct a "community assessment" of the inmate, and forwards to them any presentence reports available, the criminal record, and any other pertinent information she may have.

Mr. D. Rullens testified to the shortage of staff in the court probation office which he supervises. He has only two probation interviewers to prepare community assessment reports and to sit twice weekly on the TA panel at Oakalla. These people investigate the inmate's specific plan for her TA interview her contacts, and visit her proposed residences.

If sources of information are difficult to locate it increases the time required to prepare the community assessment report. Numerous inmates complained to the Commission of lengthy delays in the processing of their TA applications.

Mr. Rullens suggested that his department aims to have community assessment reports completed within eight days and he believed that they came close to achieving that goal. Probation interviewers contact police forces which have dealt with the offender and check outstanding warrantes for any other charges. The Vancouver Region recently adopted a policy statement and guidelines for the preparation of these reports. It is felt by the Commission that delays must generally arise during the community assessment. Inmates should be advised to provide the most complete information to enable probation interviewers to contact the people to be involved in their TA plan.

While the probation interviewer is compiling the community assessment report, Miss Edgar collects the pre-sentence report, any previous criminal record, and obtains assessment reports from staff members within the institution who are familiar with the inmate.

All this information is then put before a panel consisting of Miss Edgar as temporary absence co-ordinator, a probation officer (usually the one who compiled the community assessment), the correctional officer at OWCC who is most familiar with the inmate, an RCMP officer, and the director, in the case of women who have ninety days or less remaining in their sentence.

For women with more than ninety days remaining in their sentences the panel consists of a member of the RCMP Burnaby detachment, a senior probation officer, an institutional director, and a temporary absence co-ordinator.

Until very recently, aside from her initial application, an inmate's only opportunity for input to the panel has been a further letter to clarify her plan. She may also forward letters of recommendation from the community.

Miss Edgar testified that she and Mrs. Peacock believe that the inmate should have the opportunity to be present at the panel discussion of their plan, but that Mr. Bjarnason has disagreed with this. She further advised that, "the junior panel" which sits for women serving ninety days or less has agreed that the inmates might be present.

Mr. Rullens, however, opposed making the community assessment report available to the inmate because he considered it easier to obtain information from sources when they could be assured that the information would remain confidential. From time to time an applicant for a TA may wish to stay with someone who "does not want that person home at all", but who also does not want the inmate to know their real feelings and consequently has misled the inmate.

The Commission does not consider Mr. Rullens' concern important enough to counter balance the considerable frustration exhibited by inmates who do not understand why they have been refused a temporary absence.

As the Commission submits that the women's unit should be autonomous, this issue presents an example of one of the reasons for this recommendation. When all parties at OWCC are agreed on a proposal it seems inappropriate for Mr. Bjarnason to veto the change. The present system is obviously likely to cause frustration among staff and inmates at OWCC.

Another present complaint is that the woman is not told the reason for being turned down, and Miss Edgar testified that a refusal form is given to the inmate containing reasons which could be very general -- for example "high security risk". Allowing the inmate to be present for the discussion of her application should eliminate the grounds for this complaint.

Miss Edgar further testified that the appeal procedure for an inmate unhappy with the panel's decision was to ask the panel to reconsider, then to proceed to the senior board (the group which usually hears applications for inmates with more than ninety days of their sentence left to serve) and then to the Regional Director. In the past it has been difficult for inmates to outline grounds for appeal because they were not given detailed reasons for the decision against them. Being present at the hearing would ameliorate this situation.

Regional Director, E.W. Harrison, testified that recently the decision had been made not to issue any temporary absence passes for women at Oakalla. This decision was apparently an attempt to persuade inmates to transfer to Twin Maples. Principal Officer Mr. J. Martin pointed out in his testimony that,

> "The job market is in Vancouver. Educational facilities are in Vancouver, and in all probability their families are in Vancouver."

The Commission therefore feels it is unrealistic to limit temporary absences to inmates at Twin Maples. Re-opening the panabode unit for women interested in, and eligible for, educational or work release programmes is a practical alternative.

Mrs. Drew and Mr. Allen testified of their concern that the temporary absence programme might be jeopardized by Bill C-51. They fear that this programme will be placed under the jurisdiction of the Parole Board, increasing delays and the complexity of the procedure.

The Commission believes that, if possible, the decisions with regard to temporary absences should be left with the institution, in order to allow flexibility and rapid response. This may require delegation of authority by the Parole Board. The Commission hopes that Parole authorities will make every effort to co-operate with provincial institutions in maintaining the flexibility and responsiveness of the TA programme.

8. Compulsory Heroin Treatment Programme

The Commission heard evidence from the Alcohol and Drug Commission about its euphemistically named "health entry plan". Unfortunately, the evidence heard by the Commission did not reveal a programme thought out carefully enough to allow the Commission to form an opinion on the likelihood of success of the proposal. In interviews and written submissions by inmates and citizen groups, the Commission was bombarded with opposition to the plan. Inmates who claim to be heroin users assure us that compulsory treatment cannot succeed, while citizens' groups express real fears about the infringement of civil rights involved in a programme where a suspected drug user can be committed for six months by a panel of five people.

The Commission trusts that if the Provincial Government has $16 million to make available for compulsory heroin treatment Mr. Hartley need never do without paper at the Oakalla school, Mrs. Kirk need never again be short of materials in the sewing classes, and there may even be sufficient funds available to build a perimeter fence at OWCC.

G. COMMUNITY CORRECTIONAL CENTRES AND THE PANABODE

RECOMMENDATIONS 42 to 44

THE COMMISSION RECOMMENDS that:

42) Lynda Williams Community Correctional Centre be closed;

43) the panabode programme at OWCC be re-opened;

44) Graham Street Community Correctional Centre in Victoria be closely scrutinized

Probably the request most often repeated by staff and inmates at OWCC during the Hearings, was to re-open the panabode. This is a hut located next to the main building that was utilized in connection with a work release programme. Approximately 12 inmates at any one time took advantage of the programme.

In April 1977, the Lynda Williams Community Corrections Centre was opened in Vancouver. Consequently, the panabode was closed and most staff were transferred to the community house.

This was not a popular decision. Inmates and staff alike bemoaned its closing. Mrs. Powers told the Commission that she,

> ". . . would like to see it re-opened and used as before. It was something for the girls to look for and work towards, they knew on their own efforts they could get out there and on their TA or whatever."

This Commission could never get a satisfactory answer as to why the panabode was closed. As far as Oakalla was concerned this was probably the most successful programme in operation.

Mr. Harrison, Vancouver Regional Director, gave evidence to the effect that the Corrections Branch wanted to get a foothold in the community. Unfortunately, the branch either forgot, or did not realize the function and importance of the Vancouver Board of Variance. Consequently, because of restrictions placed upon the house, they have been faced with insurmountable problems. Most significantly, no one with a drug-related offence can live at Lynda Williams house.

This Commission requested statistics and can report that for a 52-week period a total of 253 beds were utilized at Lynda Williams house, resulting in a weekly average of 4.87 inmates. Local Manager of this CCC, Mr. P. Pettet, suggested to the Commission that the under utilization might be because of a lack of "credibility with the other institutions."

This Commission has shown a good deal of concern with some of the costly projects undertaken by the Corrections Branch. Here is yet another example: The Lynda Williams house is staffed with 10 persons, headed by a local manager. For only three weeks out of 52 did the inmate population ever peak at 10. For five weeks there was only one inmate in residence.

It is not difficult to see why the cost of operating their correctional centre (estimates in excess of a quarter million dollars) in relation to the small number of residents housed not only was, but continues to be astronomical and without justification. This province simply cannot afford a luxury such as the Lynda Williams house.

In his evidence, Mr. Harrison told the Commission that

> "Community Correctional Centres are always very, very expensive operations. I might add that privately-operated halfway houses, like those from the E. Fry, etcetera, are often very much less expensive."

The statistics supplied by Mr. Pettet in the accompanying table clearly support the Commission's observations.

Count at Lynda Williams House as of Fridays

(Prepared as of March 31, 1978)

	Sentenced		Sentenced		Sentenced
Apr. 4/77	8	Jul. 29/77	7	Dec. 2/77	2
Apr. 8/77	6	Aug. 5/77	10	Dec. 9/77	2
Apr. 15/77	5	Aug. 12/77	8	Dec. 16/77	2
Apr. 22/77	5	Aug. 19/77	8	Dec. 23/77	1
Apr. 29/77	4	Aug. 26/77	6	Dec. 30/77	2
May 6/77	5	Sep. 2/77	7	Jan. 6/78	2
May 13/77	6	Sep. 9/77	7	Jan. 13/78	5
May 20/77	6	Sep. 16/77	2	Jan. 20/78	5
May 27/77	4	Sep. 23/77	2	Jan. 27/78	6
Jun. 3/77	3	Sep. 30/77	2	Feb. 3/78	9
Jun. 10/77	2	Oct. 7/77	1	Feb. 10/78	9
Jun. 17/77	4	Oct. 14/77	1	Feb. 17/78	8
Jun. 24/77	5	Oct. 21/77	1	Feb. 24/78	8
Jul. 1/77	5	Oct. 28/77	1	Mar. 3/78	8
Jul. 8/77	10	Nov. 4/77	1	Mar. 10/78	5
Jul. 15/77	10	Nov. 11/77	2	Mar. 17/78	5
Jul. 22/77	8	Nov. 18/77	4	Mar. 24/78	6
		Nov. 25/77	3	Mar. 31/78	7

The Commission has no hesitation in advising the closure of Lynda Williams Correctional Centre and the re-opening of the panabode. This decision is not to be construed as any condemnation of Mr. Pettet and his capable staff or the concept, but simply as a realization that the centre is economically not viable.

The Corrections Branch must rethink their priorities.

Equally, if not more of a financial concern, is Graham Street Community Correctional Centre, a similar facility on Vancouver Island. The property was taken over by the Corrections Branch in January 1977. A director was seconded and has been in that position since inception. This Commission learned on March 16, 1978 that there were still no occupants, although the house can accommodate four residents. There are seven trained staff on duty.

The Commission would be remiss if it did not emphasize the urgent necessity for the Corrections Branch Commissioner, in conjunction with the Regional Director, to monitor this facility with a critical eye. The Commission would recommend abandoning this project if it were not the only female facility on Vancouver Island.

Although it is dealt with more fully elsewhere in the report, it should be noted that this Commission will not be suggesting further female facilities on Vancouver Island.

The Corrections Branch is well advised to use the community-based residential centres to the fullest extent. The Elizabeth Fry and Sancta Maria houses in Vancouver impressed the Commission as orderly, well-managed establishments. In addition, the cost to the government to buy these beds on a per diem basis is in no way comparable to the Community Corrections Centres' costs per day.

Rather than building a fragmented system of institutional facilities around the province, the Commission sees as desirable (based in part in its examination of facilities in the United States) a single central custodial facility in the province accommodating those women who need custody. This should be augmented by community-based facilities in various communities for those who do not require a custodial setting. This system is viewed as desirable for the inmate (more programmes feasible etc.) and it should also result in significant cost savings. As noted elsewhere in this report, Prince George is a prime example of these twin concerns not being met -- the result is poorer treatment for the offender and the inefficient use of facilities.

H. COMMUNICATIONS

RECOMMENDATIONS 45 to 49

THE COMMISSION RECOMMENDS that:

45) family visits continue on a regular basis;

46) unit visits be re-introduced on selective-earned (merit system) basis;

47) visitors be screened and scanning mechanisms be employed to detect contraband;

48) telephone calls to lawyers be private and other conversations monitored if there is a security risk or disruption of good order and/or management is suspected;

49) all censorship of mail ingoing and outgoing stop forthwith.

1. Visits

Open visits and the amount of contraband that enters a prison are directly related. All institutions -- minimum, medium or maximum security -- are faced with the monumental task of trying to resolve this thorny issue.

There is no doubt that wherever possible, it is most desirable that inmates retain contact with family and friends. This not only preserves any existing relationship, but also, upon release, assists in re-establishing inmates in their community and in society generally.

The Elizabeth Fry Society said in their brief under recommendation 10:

> *that comfortable and private visiting rooms be made available for the use of the inmates.*

They explained to the Commission that in its present state, OWCC offers no privacy for inmates receiving visitors. Visiting must be done in a small open room adjacent to the mail entrance. One-on-one visiting and screened visits are done in the same area. Inmates should be allowed the optimum amount of privacy available, while still adhering to security standards, for these approved visits.

This belief was echoed in the brief from the Prisoners' Rights Group. The Commission was told that there was a time when family visits took place once a month in the gymnasium or the living units. It is believed they were largely successful.

An inmate from OWCC told the Commission that contraband would get into the institutions regardless of open visits. She insisted that:"If a girl is determined to get drugs, she will find a way to get them."

Accepting the premises that visits are essential; where are these best held? The visiting areas this Commission saw in the various institutions throughout the province were inadequate.

The *Report to Parliament by the Sub-Committee on the Penitentiary System in Canada* says:

> *590. The facilities for visitors in many institutions are impersonal, drab, too small, and otherwise generally unsatisfactory. Some inmates choose to avoid visits simply because they cannot bear the pain their families -- particularly their children -- experience in seeing them under such conditions. This must be changed.*
>
> *591. Since one of the most significant factors in determining the success of an inmate upon his release is his relationship with his family, the institution should do everything in its power to encourage visits to the inmate by members of his family. This means placing as little restriction on family visiting as is consistent with the degree of security required by the institution.*

There can be no doubt that this aptly describes the provincial institutions.

This Commission recognizes the inmates' right to have visits including visits with family and friends. It also recognizes that there should be open visits. I further am of the opinion that no restrictions should be placed on visits inmates have with legal counsel, provided the frequency of these visits is not abused.

Visitors should be screened to verify relationships and again a scanning mechanism such as that used at the airports should be introduced. If any inmate is suspected of having received contraband, a thorough body search should be made.

If, after all the appropriate procedures are followed the open visits have been abused, discipline proceedings should follow. The right to visits should be lost, or remission time sacrificed. The discipline must be emphasized and abuse of the visiting right should be dealt with very seriously. The inmate must understand that every right has a parallel responsibility.

This Commission suggests that family visits in the gymnasium should continue and be held on a regular basis. A schedule for visiting should be prepared with as many hours as possible being made available for this purpose. A thorough search procedure needs to be adopted and firm discipline policy introduced for abuse.

This Commission feels it would be desirable to re-introduce unit visiting on a selective-earned basis. This latter course of action relates more particularly to Oakalla women's unit because of the drastic lack of a proper visiting area.

The Commission feels compelled to comment on the visiting of Mrs. C. Culhane of the Prisoners' Rights Group within OWCC. It has been drawn to our attention that she has been barred from that institution and accordingly, is no longer able to visit inmates there.

This Commission does not critize the corrections director for taking this type of action if warranted. However, this Commission does condemn action such as this being taken without giving the individual affected an adequate explanation. Once again, officious action of this type can only bring the administration into disrepute. Mrs. Culhane is entitled to know why she is barred from OWCC.

Dr. Ekstedt, after some prodding, appeared to agree with this proposition when he appeared before the Commission.

It is the sincere hope of the Commission that this matter and any further similar situation will be dealt with in a judicious manner.

2. Telephone calls

Telephone calls, or the lack of them, this Commission sees as one area which can best be dealt with by in-house rules for each institution. These rules will depend on the availability of staff and equipment.

This Commission submits that calls to or from lawyers should be private. Other phone conversations should be monitored only if there is some evidence of a security risk or an attempt to disrupt good order and/or management of the institution.

3. Mail censorship

Another very contentious issue that has been fully aired to the Commission is that of mail censorship. The rationale for mail censoring is that escape attempts and efforts to introduce contraband into the population are exposed.

However, if an inmate wishes to inform an outsider of an escape attempt or if an outsider wishes to get contraband into the prison, there are other ways of accomplishing this. It is my contention that mail censoring does not accomplish this and that it is an invasion of privacy. Furthermore, the reading of individual's letters provides staff with private and confidential information which, if used indiscriminately or without care and regard for the inmate's feelings, could prove to be humiliating and embarassing if revealed.

The Commission was able to detect from the evidence that reactions were varied. Some said no censorship at all; others would permit partial; still others felt total censorship was essential.

Dealing first with incoming mail, there was talk of contraband going into the institution via inmate mail, although not one witness could specify it ever occurring. The testimony much more supported the proposition that contraband came into an institution during open visits, with inmates returning from court, and with inmates returning from temporary absences or day passes.

Mr. Bjarnason, Director of Oakalla District, told the Commission that in his opinion mail censorship "is a complete waste of time." He said that a few letters with distressing news were turned over to the Padre, "but there's no evidence that they ever saved anybody's life."

Mr. Bjarnason admitted that he was not aware of any contraband being found and that too late they discovered an escape plan written in code. Two inmates from Twin Maples told the Commission that checking their mail for escape plans is futile because they could just "walk out the front gates".

Mrs. Powers from OWCC also testified that neither the introduction of contraband nor the discovery of a "Dear John" letter had much relevancy to mail censorship. In her opinion, signs of a depressed inmate should be discovered by the staff in the unit and very little contraband ever arrives by post.

Local Manager, Mrs. Peacock, said this about the censorship of mail: ". . . it isn't something that's necessary and yet perhaps should be done randomly."

There is also evidence that the whole procedure is time consuming -- an important factor when there is a constant reference to staff shortage.

Mrs. Culhane and Mrs. Jodouin also had a good deal to say in their evidence of the problems surrounding the mail. In addition, there was some evidence that the content of the letters to inmates was being used to taunt, tease or threaten. Although the Commission had no concrete evidence of this, it is not beyond the realm of possibility.

There can be no rationale whatsoever for the opening of outgoing mail. If there is a problem in a prison how else is this information to be brought to the attention of the proper outside authorities? A well-run institution should have no reason to fear the complaint of an inmate and the censorship of outgoing mail can only be directed at this type of letter.

We were disturbed to read in a report by the Director of Inspection and Standards that at one time the Deputy Director retained three letters written by an inmate. This cannot be tolerated and should be resolved by discontinuing censorship of mail.

After visiting institutions this Commission is satisifed that every inmate suffers from a lamentable lack of privacy -- open showers, open bathrooms, security openings in doors, shared rooms, and supervised visits prevail. This Commission feels strongly that inmates in prison are entitled to some privacy.

One way in which this lack could be alleviated is by allowing the mails to be uncensored. As we heard no evidence to *justify censorship, the Commission can see no reason* for procedure to continue. There is sophisticated scanning equipment available sufficient to scan all incoming mail. If contraband is suspected the envelope or parcel can be opened before the inmate, but should not be read. A proper discipline proceeding can follow if contraband is found.

I. MEDICAL AND PSYCHIATRIC SITUATION

RECOMMENDATION 50

THE COMMISSION RECOMMENDS that inmates with mental problems be segregated by hospitalization.

During the Hearings this Commission had to address itself to the issue of adequate medical care for the inmates. Opinions were varied: inmates and the B.C. Federation of Women organization generally thought the treatment was inadequate. Conversely, the medical profession, including senior medical officer Dr. Bulmer and Dr. Farquharson who attend to the inmates, have another opinion.

Inmates were of the opinion that many of the problems could be resolved if each had the choice of her own doctor. The Commisison expressed concern at this because of the practical problem of trying to schedule appointments and the inadequate facilities available within the institutions.

Dr. Richmond, a retired and well-respected senior medical officer, responded to the quesiton of personal physicans for the inmate with an additional problem. He explained to the Commission that the idea had been examined some years ago and was abandoned because "the complications would be just insuperable ".

Dr. Richmond explained that because the senior medical officer is ultimately legally responsible for the life of every inmate they could not entertain the possibility of different doctors prescribing a variety of drugs.

Dr. Bulmer described to the Commission the medical services available. He explained that there are two full-time physicians on staff at Oakalla -- Dr. Farquharson and himself. Twin Maples has physicians contracted on a sessional basis.

The Oakalla women's unit is visited twice weekly by a physician, in addition four nurses cover the day and afternoon shifts. The nurse at the men's unit is available to the women's unit for emergencies during the night. Two contracted physicians look after new admissions from court on evenings and weekends.

Mrs. P. Irwin, senior nurse at OWCC, described the nursing care available. Her evidence indicates that prior to her arrival in 1975 the quality of nursing care may well have left a good deal to be desired.

She believes that the present system of covering day and afternoon shifts meets the requirements of the women's unit. The availability of the men's unit nurse during the night shift she feels is all that is necessary. Last year of the 12 calls for aid from the night nurse, Mrs. Irwin feels that only three were real emergencies.

Nurse Irwin explained that the medical facilities at OWCC consist of an office, locked cupboards for medication, an examining room and two infirmary beds that "are always being used for something else".

Inmates who are seriously ill are sent to the hospital and the others have to be treated in their rooms. Because the units are often very noisy, Mrs. Irwin does not see this as ideal treatment. The nurse told the Commission that malingering -- pretended illness -- is a common occurrence. Those inmates are usually, but not always, put on the list to see the doctor.

Dr. Farquharson is of the view that because of the small numbers at OWCC it is not difficult to keep an eye on people. He says that the nurses know the people by their name and condition and nobody gets lost in the shuffle.

In view of all the evidence presented and the other institutions visited, this Commission is satisfied that the medical care at Oakalla is adequate. Only additional facilities made available for a hospital area could improve on the present services rendered to the inmates.

The Commission heard some evidence of psychiatric care available at OWCC from the psychiatric nurse, Mrs. Lynch. She said in her opinion there was sufficient treatment for those in need. People showing psychotic symptoms were transferred to Riverview, she explained.

Dr. Farquharson testified at some length about psychiatric services. He explained that a psychiatrist on contract from the Attorney-General's department visits once a week. He saw no difficulty in the fact that the same doctor did court assessments and inmate counselling. Dr. Farquharson referred to the psychiatrist, Dr. Stephenson, as "one of the best psychiatrists in the city".

Many witnesses with various opinions testified about the problem of inmates slashing themselves. After visiting many institutions also plagued with the problem, the Commission is satisfied that the slashings are not exclusive to OWCC.

Although numerous explanations or reasons were offered to the Commission for this behaviour, Dr. Farquharson best described the problem in his evidence. In the doctor's opinion slashings are a moderately common problem now. After determining the motive one of two things can happen to the inmate. For those just throwing a "tantrum" because of frustration or rage, punishment is time in the isolation unit. However, if Dr. Farquharson, or the residing doctor feels it is emotionally disturbed behaviour, wheels are set in motion for a transfer of the inmate to Riverview.

This Commission is greatly concerned with this problem and can only charge the authorities to do all in their power to speedily diagnose the mental problems (e.g. severe depression) which lead to self-inflicted wounds and deal with them in a way other than punishment. We have noted elsewhere the views of the present director on this matter and are in agreement with those views.

This Commission can only urge the administration to make beds available elsewhere to enable removal of these unfortunate pesons from a prison environment. This Commission is most unhappy that mentally ill persons are spending any time in prison when they should be hospitalized.

J. NATIVE WOMEN

During the course of the Hearings, this Commission heard from two groups whose presentations focused on the female native Indians. The first of these groups was comprised of Mrs. L. Lightbown, Mrs. S. Klyne and Mr. R. Campbell. Mrs. Lightbown is president of the Haida Nation and appeared on behalf of the United Native Nations and Mrs. Klyne and Mr. Campbell are prison liaison officers with the Native Court Workers.

The second group was the *Ad Hoc* Citizens Advisory Group referred to earlier represented by Mrs. M. Sanderson, Mrs. F. Hogarth, Dr. P. Jewett and Mrs. B. MacDonald. This group, while basically concerned with all females, did however, emphasize some problems they had perceived concerning native women.

This Commission is not convinced that there is a problem of great magnitude regarding native women in the prison system. The female wing at Prince Geroge was intended to accommodate native women from the north. However, when the Commissioner toured in January, only two of the eight inmates were native women. None of the staff consulted could see the natives as having any special problems within the facilities. Mrs. Klyne agreed with the Commissioner that there is not a problem presently with native women in the institutions, although the future cannot be predicted.

Mr. Campbell pointed out that there has been an increase in programmes for the women. Currently the Native Court Workers operate group programmes in the Oakalla women's unit known as the "Native Sisterhood". Attendance seems to vary from three to 12 inmates who participate in counselling and culture sessions on Monday nights. A lack of communication seems to prevail about the weekly sessions.

The Commission can be sympathetic to the problems that have been encountered by Mr. Campbell but does not feel that they are exclusive to the native woman. This Commission is convinced that a good deal of the problem of lack of communication might well be resolved by a set of proper in-house rules and proper comprehensive information sheets distributed upon admission. Once again, here is a problem that relates to all inmates.

There are two community-based residential centres in the Prince George area -- Activator's House and the Phoenix House. This Commission is of the opinion that these facilities can meet the need to house the native women of the north. If a need develops for more space in the north for native women, this Commission is satisfied that the problem can be met at that time. It should be noted that there have been some rather serious problems surrounding the effective running of the Activator's House but we were told this matter was being closely reviewed by the Corrections Branch.

It should be pointed out that there were beds available at Phoenix House in Prince George when the Commission visited this facility in January.

In summary, this Commission does not see any special problems presently surrounding the incarceration of native women and accordingly makes no specific recommendations in this area.

K. INSPECTION AND STANDARDS

RECOMMENDATIONS 51 and 52

THE COMMISSION RECOMMENDS that.

51 the Director of Inspection and Standards be a respected and experienced investigator;

52) the Division of Inspection and Standards report directly to the Attorney-General

The Commission was told by Mr. D. Kent, Director, that the Division of Inspection and Standards was set up as a component of the Corrections Branch in the year 1973. His predecessor in that position was Mr. Lane.

Mr. Kent was asked to enumerate the functions of the division. His explanation is summarized as follows:

- to inspect facilities;
- to do special investigations as requested by the Commissioner, Regional Director or the Minister;
- and to investigate complaints by inmates, parolees or probationers.

In addition, they have several administrative functions such as maintaining the Manual of Operations.

Mr. Kent also indicated to the Commission that the division was assigned the task of developing standards of correctional practice in the province. He noted that this had been a fairly recent assignment and that the division would be forming a provincial standards committee shortly. Mr. Kent indicated that the major function to date of the division had been to investigate staff and inmate complaints.

It emerged in his evidence that there was a relatively small incidence of complaints from the women's unit as compared to the number from the men's jail at Oakalla. Mr. Kent did note that the latter was of course by far the largest population of incarcerated persons in any unit in British Columbia.

It is to be noted that the division has been carrying on since 1973 as an operating entity in the field of corrections in this province. Legislation formally setting out the functions of the division has now been incorporated into the *Corrections Amendment Act, 1977.* The functions set out in this legislation are along the lines described by Mr. Kent and the legislation gives to the division broad powers to investigate matters in the field of corrections.

It did not appear that in the years 1974 through 1977 there had been any significant volume of complaints from the Oakalla women's unit. The Commission found this somewhat surprising in view of the great many allegations made to it of inconsistent management, lack of discipline, favouritism, inadequate facilities and the like.

The Commission was disturbed by certain of the matters that emerged in the evidence touching the relationship between the Division of Inspection and Standards and the management of the Oakalla women's unit and the Vancouver Region of Corrections.

The Commission heard testimony from an inspector with the division, Mr. A. Nicholls. Inspector Nicholls has 25 years' experience in investigation and is eminently qualified for the position.

In 1977 Mr. Nicholls was assigned to work with the RCMP on their investigation at the Oakalla Women's Correctional Centre. In the course of their investigation they visited the Regional Director of Corrections for Vancouver, Mr. E.W. Harrison. Mr. Nicholls testified that Mr. Harrison was visibly unhappy and used "bad language" when he learned that Mr. Nicholls had been assigned to the investigation.

In his testimony Mr. Harrison told the Commission that he in fact did express displeasure that Mr. Nicholls had been assigned to investigate. He added: "I am reluctant to state too much about it, it does go into personalities."

It did not appear that Mr. Harrison was the only individual in management who was unhappy with Mr. Nicholls.

Mr. G. Nordby, formerly Acting Director at the Oakalla women's unit and at the time of the Commission Hearings, Director of the Westgate unit at Oakalla, noted that the Inspection and Standards Division was, in his view, "absolutely useless". He took very strong exception to the terms of the report that Mr. Nicholls had compiled on the institution in 1974 at the time Mr. Nordby was at the unit. However, Ms Bergman, second-in-command, at OWCC at the time, told me that the report was substantially correct.

Messrs. Burns and Hofseth, who followed Mr. Nordby as senior management at the unit, also expressed displeasure in their evidence at the conduct of Mr. Nicholls. When the inspector approached them in 1977 with some allegations of problems between male staff and inmates, in the words of Mr. Nicholls, they implied it was "a load of poppycock, just idle gossip".

It was obvious to the Commission that Messrs. Harrison, Burns, Hofseth and Nordby had a good deal of resentment against Mr. Nicholls and all his work. The Commission is bound to say that it found most puzzling the explanation given by Mr. Harrison for what can only be described as his blow-up at Mr. Nicholls, on the occasion when Mr. Nicholls and the RCMP officers, investigating the allegations underlying this Inquiry, went to Mr. Harrison's office located on Broadway in Vancouver.

Mr. Harrison said in his testimony that he had expressed displeasure or concern on this occasion about Mr. Nicholls's involvement in the matter. He felt that the presence of Mr. Nicholls would impede the investigation because of the negative feelings he inspired in the staff.

The fear expressed seems wholly at odds with evidence given to this Commission by two experienced officers from the Oakalla women's unit, one of whom was a senior officer (Mrs. A. Powers) and the other, a member of the line staff (Mrs. R. Perreault). Mrs. Powers said she had no problems at all with Mr. Nicholls. Mrs. Perreault said: "On the line staff, what I hear is that most people welcomed him because he would always listen to anything they had to say."

It was never made clear to the Commission by Mr. Harrison just how Mr. Nicholls could, or might, impede the police investigation. It is difficult to find any basis in the evidence to lend support to the somewhat surprising assertion Mr. Harrison makes in this regard.

It may be that Mr. Harrison feared that Mr. Nicholls would uncover damaging material and this is the reason he flared up at him. On the other hand, the police were in the investigation already and it may be presumed that they would discover whatever existed to be discovered.

Putting the best complexion on the matter that the Commission can in favour of Mr. Harrison, his conduct on this occasion smacks of officious interference in an investigation into serious allegations. Mr. Harrison may have had, and may still have, personal reservations about Mr. Nicholls or vice versa. However, petty bickerings and threats to call superiors would only serve to shed more heat than light on the matters being investigated. This sort of incident clearly points out that the system of having the Division of Inspection and Standards operate as an arm of Corrections reporting to the Commissioner of Corrections is unsatisfactory.

Obvious conflicts of interest are readily apparent -- if the division investigates an inmate complaint and finds nothing it is apt to be vilified for being party to a whitewash -- on the other hand, if it does its job conscientiously, it runs the risk of being termed a collection of "finks" or traitors to the service.

There was clearly a great deal of negative feeling toward Mr. Nicholls manifested by a number of corrections management people who testified before the Commission.

Clearly, as Mr. Nicholls testified, matters at the Oakalla women's unit have not been altogether healthy for some years. Was management all too well aware of this and did they perceive Mr. Nicholls as a threat? That is certainly a possible view of the evidence the Commission has heard. I must note that it required a subpoena for this Commission to obtain the report of Mr. Nicholls.

The Commission cannot help but conclude that in the natural course of events, there will not be a uniformly harmonious relationship between one in the position of Mr. Nicholls and those in the positions of Messrs. Nordby, Burns, Hofseth and Harrison. Indeed, if Mr. Nicholls was viewed by these people as altogether a fine fellow, an outside observer could be pardoned for suspecting that Mr. Nicholls (or whomever was investigating matters) was not doing an effective job.

When asked about the way his function could be performed more effectively, Mr. Nicholls said he thought it would be preferable for Inspection and Standards to be independent of the Corrections Branch and to report directly to the Attorney-General or the Deputy Attorney-General.

Mr. Harrison was asked his views on the reporting relationship and whether or not he felt that Inspection and Standards might be better outside of corrections. He said,

> ". . . it is my opinion that they are impartial at the present time, that they have done, in general, a very good job of carrying out their duties. But, if they were outside our organization I think it would be better."

This Commission cannot help agreeing with Mr. Nicholls and Mr. Harrison that it would indeed be better if the division were separated from the Corrections Branch and reported either to the Deputy Attorney-General or the Attorney-General directly.

Additionally, the Commission has serious reservations about having the division headed by someone lacking in an extensive investigative background. The Commission was shocked and dismayed to learn of the recent appointment of Dr. Ekstedt's former Executive Assistant as Director of Inspection and Standards. I do not perceive of the new Director as having the necessary experience and qualifications to head such an important department.

Hopefully, such an organization could be used in a positive way to catch, at an early stage, the sort of unhealthy situation that eventually erupted in 1977 at the Oakalla women's unit. If it is to effectively perform such a function it would seem that sound practice would require a respected and experienced investigator to head up the division.

The setting of standards is a laudable aim and very proper but the difficult area for the division will be in the investigative arm. That is the area that will need decisive leadership. It is for this reason that I make the foregoing comments about the qualifications and experience of whomever is to be in charge of this organization.

L. CITIZENS' ADVISORY GROUPS

RECOMMENDATIONS 53 and 54

THE COMMISSION RECOMMENDS that:

53) Citizen Advisory Groups be utilized to their fullest capabilities;

54) Dr. Jewett's Citizens' *Ad Hoc* Committee monitor the implementation of the recommendations of this report.

One of the most heartening aspects of this Inquiry has been the response and advice of concerned citizen groups. These have included individuals associated with the Elizabeth Fry Society, a group of interested women from Vancouver Island, the B.C. Federation of Women and *Ad Hoc* Citizens' Committees, not to mention a number of other individuals with a genuine interest in the matters being reviewed by this Commission.

The Commission found a great many of the submissions made to it by these groups helpful. It is not possible in this report to specifically deal with all, but suffice it to say that all submissions and evidence were considered and form part of the necessary informational material upon which the findings and recommendations of this Commission are based.

On the question of citizens' groups the Commission has also studied the *1977 Report to Parliament by the Sub-Committee on the Penitentiary System in Canada*. That report notes that community involvement can be of considerable benefit to penal institutions, institutions that have all too often in the past suffered from an "out of sight, out of mind" attitude.

As noted in the report;

> *596. Much of the fear in the minds of the public comes from not knowing what is going on behind the high wall. That wall keeps offenders confined, but it also discourages citizen participation in the institution and inmate involvement in outside community activities.*
>
> *597. What the public hears about is usually riots, hostage-takings, or inmates failing to return after temporary absences. These incidents receive sensationalized exposure in the media and the public begins to pass emotional value judgments. The community then becomes rigid in its thinking and staff and inmates often suffer from unwarranted criticism.*

The Sub-Committee noted that most federal institutions had established citizens' committees. The establishment of such committees was viewed favourably by the majority of penitentiary management and employees, but the Sub-Committee also noted:

> *607. There was also fear expressed about the composition and motives of some members of these Committees. Witnesses directly involved in the operation of penal insitutions testified that some members of Citizen Advisory Committees may have ulterior motives for their involvement and may not be there to help but to creat problems.*

This Commission would adopt and approve the following modified statement of the Sub-Committee:

> *Citizen Advisory Committees, if properly structured, can provide a real service (to the institution) in terms of informing (the Corrections Branch) about the realities of prison life and informing the branch as to its shortcoming.*

Additionally, these comments of the Sub-Committee should be borne in mind if such a group is to be a positive force in the day-to-day affairs of the institutions:

> *619. At no time should the Citizen Committee involve itself as a mediator in the investigation of individual inmate or staff grievances, nor should it allow itself to be put in the position of mediator during a prison disturbance, as happened recently at B.C. Penitentiary. These Committees are intended to function as observers and commentators on the operation of our institutions, and they will not be able to fulfill such a role if they too become embroiled in struggles occurring inside the walls.*
>
> *620. Citizen Committees can be of particular value in marshalling the support of labour and the business community for institutional work-release programmes. This further accentuates the importance of having Committees that are truly representative of the community , for they must be able to reach all levels of the community in order to win its support for such programmes. They can also assist the institution in building up services such as libraries.*

These comments about programmes and library facilities are particularly interesting in view of the evidence heard by the Commission concerning the lack of job-orientated programmes and the deplorable state of the library at Oakalla women's unit.

The Commission was appreciative of the comments made by a citizens' advisory group comprising Mrs. M. Sanderson, Mrs. F. Hogarth, Dr. P. Jewett and Mrs. B. MacDonald:

> ". . . we felt that there would be a group who are really concerned to follow through on all the recommendations that the Commission may make and that one of the great tragedies in our society is that recommendations may lie on shelves and All of us are so very concerned and I think it is frankly true we are concerned and want to stay together, want to kind of monitor the ways in which the recommendations of the Commission were or were not carried out and we would think it important, of course, not only to report fairly regularly on what is happening to the recommendations but that we should make public, at regular intervals, what is being done over the next period of quite a length of time."

One would have to be singularly blind to the facts of past history not to realize that all too often Royal Commissions hold hearings, consider matters and make recommendations which are briefly noted at the time and then intentionally or otherwise, left to fade into obscurity. The proposal therefore of this group of citizens to follow up the work of this Commission, is seen as a positive force to keep these matters from falling into oblivion.

Generally speaking, this Commission feels that citizen's groups are a force for good in correctional facilities. Like most things however, what may be a force for good can become a force for harm. If such committees allow themselves to become unduly identified with the interests of one or the other groups in the corrections system, the usefulness of the committee is largely at an end.

B.C. Corrections have already the benefit of some assistance in this area. Mr. Harrison noted that there is presently a Citizens' Advisory Board to the Vancouver Regional Management Group. We heard from Miss K. Elliott and Mrs. M. Ford of this group.

In summary therefore, the Commission feels that citizens' advisory groups do have a positive role to play in the field of correctional institutions. The people in the system that the Commission heard from, both during the Hearings and on tours of the institutions, generally saw merit in the idea. This Commission feels that an increasing citizen involvement can be of considerable benefit to the field of female corrections.

M. ORGANIZATIONAL STRUCTURE

RECOMMENDATION 55

> THE COMMISSION RECOMMENDS that: the Local Manager of the Oakalla Women's Correctional Centre report directly to the Regional Director of Corrections.

For many years prior to 1973 the women's unit was headed by Miss B. Maybee. Between 1973 and late 1974 Messrs. McHale, Ferguson, and Nordby respectively acted as directors at different times. More recently, Messrs. Burns and Hofseth ran the unit. Over the course of the last five months Mrs. M. Peacock has been local manager.

An issue that was debated at the Hearings was the question of whether or not the Oakalla Women's Correctional Centre should be a separate entity reporting to the Regional Director.

There has been a conscious effort in the last few years on the part of the Corrections Branch to decentralize. It was said by Dr. Ekstedt that this "flattened" organization provides for a quicker response to problems.

This may be so, but the danger that has to be avoided in such a system is the undue fragmentation of the bureaucracy; the situation where everybody decides everything and nobody decides anything (the ultimate realization of management by committee).

In line with this conscious effort to decentralize a new entity has been created, the Oakalla District, with Mr. Bjarnason as its head and under him the various men's units and the women's jail.

The Commission was told by the Elizabeth Fry Society at an early stage in these Hearings that they felt that the women's unit should have autonomy from the men's unit and at least a direct reporting relationship to the Regional Director if not direct to Victoria.

It is clear from the research the Commission has done in the area that women's corrections have often been viewed as a poor cousin of the much larger and more visible area of male corrections. There are different problems in this province *vis-a-vis* male and female corrections. For instance, the troublesome inmate, or a difficult staff person can be more easily moved around in the men's system. There is much less flexibility in the women's system than in the men's. Men have access to camps and programmes that are unavailable to the women on any practical basis.

Policies that may make sense generally to the men's unit at Oakalla may have little relevance to the women's situation. The virtual cancellation of temporary absences out of the Oakalla area that we heard about from Mr. Harrison recently is a classic example of this.

There are also some subtle animosities and suspicions. The view was voiced by more than one of the men who testified that the women's jail was generally much better furnished than the men's jail. Some of the women who testified indicated that in the matter of supplies and food, the men took what they needed, and the women received what was left. At the end of the day, it may come down to this; Oakalla women's unit is not Eastwing nor Westgate, and pretending that it is the same sort of unit is to take a fundamentally wrong view of the realities of the situation.

If the women's unit is to be treated as truly equal, the Commission feels that it must be treated as an entity separate and apart from the larger men's unit. The Commission believes that the director of the Oakalla Women's Correctional Centre should report directly to the Regional Director of Corrections. As has been said there is nothing so unequal as the equal treatment of unequals.

The present director, Mrs. M. Peacock, raised the question of a second-in-command. She indicated in her evidence, that just managing the institution was a full-time job and that she required another person to assist her. She was asked why this was so, since there was a time in the years of Miss Maybee when one person alone ran the operation. She replied:

> "Times have changed. It was possible for Miss Maybee to run that place alone, but there wasn't the supervision required of the staff that there is now. I say that because at that point in time when I started Miss Maybee was able to look at her staff. If they didn't function effectively or efficiently, she had the option of dismissing them. In order that we do that now it takes a long process because the union doesn't allow that we just dismiss people because we feel they are not efficient or effective . . . it requires a lot more supervision of staff who are not efficient or effective on the job in order to train them if they are not going to keep them or in order to document these events that would cause their dismissal."

The job of the director is never easy. The director must try to strike a happy balance between involving herself unduly in the day-to-day affairs of the institution, but on the other hand she must avoid the criticisms of being isolated from the operating realities and of being inaccessible to staff and inmamtes.

Dr. Richmond, as noted elsewhere in this report, spoke eloquently to the vital necessity of good leadership in any insitition. It seems to the Commission that the director must be a visible presence in the institution to both staff and inmates. Mrs. Peacock indicated to the Commission that she did feel that she was "snowed under" with paper work, meetings and similar activities and was not able to get around the institution on nearly as regular a basis as she would like. The Commission is clearly of the view that it would be conducive to the better administration of that unit if a second-in-command were appointed to assist Mrs. Peacock.

SECTION III

A. FUTURE PLANS

RECOMMENDATIONS 56 and 57

THE COMMISSION RECOMMENDS that:

56) sentenced and remand inmates be separated:

57) a perimeter fence be built at OWCC immediately;

Throughout the Hearings this Commission heard over and over again, comments about the necessity of separating those persons in custody on remand to the courts and those already dealt with by the court and sentenced to some term of imprisonment. The Commission agrees wholeheartedly with this principle of separation; a concept supported by literature and our observations when we viewed facilities in the United States of America.

This Commission heard at some length from Mr. A.G. Gilmour, a representative of the British Columbia Building Corporation, about the construction of a new remand centre adjacent to the present Provincial Court Building at 222 Main Street in Vancouver. He indicated to the Commission that 30 beds would be made available for females on remand at that new centre. He further advised that hopefully this remand centre would be ready for occupancy within approximately two years.

Mr. B. Robinson, Deputy Commissioner of Corrections, appeared before the Commission on February 28,1978. When questioned about making remand beds available for women at the proposed new remand centre in Vancouver, he replied: "The department is committed to that, so it is going to take 30 people out of Oakalla somewhere."

In light of this evidence it is difficult for this Commission to adequately express the surprise occasioned when on March 31, 1978 Dr. Ekstedt was questioned about the presence of women at the remand centre and said: "I don't know. That decision has not been taken."

This Commission cannot help but wonder if the left hand knows what the right hand is doing in the Corrections Branch. If the Commissioner and his deputy are so widely apart on this sort of factual matter, it is not surprising that a fair degree of confusion is found in the lower echelons.

The other matter to which this Commission has addressed itself is that of perimeter security. Once again there was ample evidence to support the need for inmates to have outdoor exercise. Equally, evidence showed that the lack of perimeter security (a fence) is a grave deficiency at the OWCC.

The Commission is of the firm view that a secure fence built around the perimeter at Oakalla women's unit is absolutely essential. All witnesses who addressed themselves to the issue testified that it was imperative for the inmates to get more exercise in a suitable yard area. It was most gratifying to see a much freer movement of inmates in the outdoors in the American institutions where perimeter security prevailed. It appeared that such a system could be operated with a smaller complement of security officers. Perimeter security could be enhanced at OWCC at a relatively modest cost and would greatly assist the operation of the unit.

Having heard extensive evidence about the facilities available for imprisoned female offenders in B.C. and having viewed the Purdy and Pleasanton facilities in the United States, the Commission still cannot predict with absolute accuracy what the future institutional needs may be.

Evidence on probable future requirements for the accommodation of female offenders was heard. Dr. Ekstedt, the Commissioner of Corrections, was of the view that some modest increase in the number of incarcerated female offenders was not unlikely over the course of the next ten years. A federal study prepared for the Solicitor-General's Department in January, 1978 was also noted in this regard.

The Commission as well heard evidence about the proposed new drug treatment programme of the Ministry of Health. The effect this may have on the population of incarcerated female offenders in the future is at present impossible to define. This programme is not yet even in its infancy and grave questions of constitutionality of the legislation and the general effectiveness of the programme exist. It would at this stage be highly speculative to assume it will have a significant impact in the foreseeable future. There being no similar programme anywhere else (we were told by Mr. Hoskins of the Drug and Alcohol Foundation) no data exists to assist the Commission in any predictions relative to this programme.

Mrs. Drew, Local Director of Twin Maples and a member of a national committee looking into the proposed closure of the Kingston Prison for Women, testified before this Inquiry. The net effect of her evidence was that there is a strong movement on foot to close this antiquated facility at Kingston, Ontario. It appears that the federal government is seeking unanimity on the question from the provinces before it moves. Unfortunately it has never proved easy in Canada to get federal-provincial unanimity on anything.

Dr. Ekstedt told us that B.C. should adopt the stance that Kingston be closed and federal prisoners from this province be returned to British Columbia. The Commission sees this as desirable from the point of view of the offenders who will be much closer to their homes. Our recommendations are therefore based on the proposition that these offenders should be returned to the province. This has been done on a partial basis in any event under the provisions of the *Federal-Provincial Agreement of 1974* (Exhibit 20)

Because of the relatively small number of female prisoners presently in the province we have neither adequate facilities nor decent programmes for them. It is the definite view of this Commission that if all federal women prisoners are returned to the province then the federal and provincial governments should join forces to provide these facilities and programmes.

My research and examination of facilities in the United States of America has led me to the firm conclusion that the ideal system is one that gathers together a sufficient number of women in one place to house them in proper facilities and to afford them the opportunity to undertake useful and stimulating programmes of education and training. In Canada, with our much smaller population base, the fragmentation and waste of two separate corrections systems for women makes sense neither from an economic nor social view point. It is perhaps another example of the erroneous assumption that what works for male offenders should work for female offenders. The disparity in numbers between the two groups makes such an assumption wholly unfounded.

PLAN A

My first recommended course of action may be termed the ideal or optimum solution that presents itself to this Commission. A new facility should be built on the Oakalla lands to house a population of 125 women; the count of sentenced women from this province as of April 3, 1978, including those in Kingston, was approximately 110.

This plan also assumes that the proposed remand centre in Vancouver, would serve to hold all females on remand in the province -- these are now housed at OWCC. Such a facility as I propose could be built along the lines of the Purdy Treatment Centre for Women at Gig Harbour, Washington. The structure should contain different units to house offenders requiring different levels of security from minimum to maximum. This would permit the working of a phase or level type system, a system seen as desirable by the present director of OWCC, Mrs. M. Peacock.

A secure perimeter is necessary to permit adequate movement about the grounds of the facility and to allow inmates to go back and forth between buildings for courses and activities. Such a facility should have individual rooms for inmates and a well laid-out area to permit family visits. A decent medical facility, classroom and recreational areas should be provided as well.

The location at Oakalla was perceived as desirable by many witnesses because of its easy accessibility to support services. As well, it has been for a great many years the location of a prison and no end of witnesses testified to the problems that are occasioned when a community learns the unwelcome news that a prison is to be located in the neighbourhood. The grave problems faced by corrections in trying to open such minimum security places as Lynda Williams house in Vancouver and the Graham Street house in Victoria speak more eloquently of this problem than anything this Commission could say.

PLAN B

My second proposal, which the Commission sees as less desirable than the first, is to build a facility of the type outlined above at the Twin Maples location at Ruskin, B.C. I perceive it as a less desirable location than Oakalla because it is farther away from needed support services.

I should note that the Commission heard testimony from Mr. E. Veitch, MLA, who is chairman of a group looking into the question of the possible disposal, by the government, of the Oakalla lands. The Commission must say that it would view such disposal with alarm. To dispose of these lands without having ironclad assurances of a suitable alternative site would, in my view, be a grave mistake. It is all very well to say "dispose of the Oakalla lands and turn them to other uses", but I have seen no evidence that there is any other suitable site in view.

This second plan also envisages the use of the proposed Vancouver site to house females on remand. Both proposals A and B envisage the use of the OWCC by male prisoners or alternatively, the destruction of the present building.

PLAN C

The following may be termed the third option. Use the proposed Vancouver site for remand females. Refurbish and upgrade the present OWCC for use for women requiring a secure setting. Upgrade and refurbish the Twin Maples unit -- some expansion may be needed -- and use this unit for those sentenced women requiring a less secure setting.

I would anticipate here as well that the federal government would make a substantial contribution in aid of the necessary facility upgrading and expansion as well as contributing significantly to a greatly expanded and enhanced series of programmes. Under this system the capital outlay occasioned by the building of new custodial facilities would be reduced.

The Commission heard from Mr. Gilmour of British Columbia Building Corporation regarding the cost of building new facilities and these costs are substantial indeed. The Commission does not view this proposed option as by any means the best one but it may be the only one that is economically palatable.

PLAN D

A fourth possible option might be as follows: keep the proposed new remand centre in Vancouver entirely for male prisoners on remand; use the present OWCC for women prisoners on remand and build a unit of the type described in options A and B (preferably on the Oakalla lands) to hold sentenced females. This would probably not be a full utilizaion of the present OWCC building but it would provide an easing of the pressure on the men's unit at Oakalla, a pressure that the Commission was told is extreme.

By way of addendum, I should say that I cannot recommend that any custodial facilities be built or set aside at Prannon Lake for Women on Vancouver Island. I say this with some reluctance because there was considerable support for such a facility on the Island based on such considerations as keeping offenders close to their homes and support services. However, I have concluded that it would be impossible to justify on economic grounds and would probably just be repeating the mistakes of Prince George.

My examination of the Pleasanton and Purdy facilities in the United States of America as well led me to the conclusion that a facility for sentenced women should ideally be one that is large enough to accommodate a sufficient number of people to justify major programme costs. Small facilities just cannot answer this need and the sentiments expressed to me by inmates at the Prince George unit about boredom and lack of programmes greatly outweighs the questionable assumption that offenders are necessarily better off near their families. They are in actuality cut off by the very fact of incarceration and it may be somewhat of an illusion to think that they can be really "near" their families while in prison.

This does not in any way take away from the force of the Commission's view that women offenders from B.C. are better off in B.C. than in Kingston (assuming equal programme opportunities). There is in my opinion a great difference between obliging members of the family to go to Kingston for visits and asking them to travel to a prison located in this province.

SECTION IV

RECOMMENDATIONS

The following recommendations can be found in the body of the report on the page number that appears in brackets.

THE COMMISSION RECOMMENDS that:

1) the Local Manager (Mrs. Peacock) select her own staff; (p. 30)

2) no security staff be given any responsibility without prior training at a minimum of the 20-day, Block I and II programme; (p. 30)

3) a deputy be appointed to assist the Local Manager at OWCC; (p. 30)

4) the practice of seconding (i.e. appointing senior officers without first advertising the position) cease except in emergencies; (p. 30)

5) all senior correctional officers be exempt from union membership; (p. 30)

6) a re-study be conducted of principal officers' membership in the union; (p. 30)

7) probationary and auxiliary staff not be members of the union; (p. 30)

8) a cottage be refurbished for use as a lounge for staff; (p. 30)

9) uniforms be worn by all institution staff; (p. 30)

10) male staff be allowed to work in any area where human decency and privacy are not affected; (p. 54)

11) a pool of part-time staff be trained and made available to cover illness or other emergencies; (p. 64)

12) revised rules and regulations be publicized to staff and inmates; (p. 68)

13) an independent adjudicator be appointed to deal with disciplinary court; (p. 68)

14) inmates' possessions in their rooms be restricted; (p. 68)

15) the co-correctional programme at Prince George be discontinued immediately; (p. 81)

16) Twin Maples remain as presently constituted; (p. 81)

17) no further co-correctional facilities be established elsewhere in British Columbia; (p. 81)

18) laundry equipment be up-dated and one staff member be assigned to supervise; (p. 85)

19) one staff member continue to supervise the kitchen on a regular basis, in addition to training inmates in specialized food preparation; (p. 85)

20) one staff member be assigned responsibility for housekeeping crew and supplies and that inmates on remand should generally be involved in the maintenance programme; (p. 85)

21) one staff member be assigned to supervise an outdoor maintenance crew and train its members in landscaping;

22) the budget for the sewing programme be increased and that this programme be expanded; (p. 85)

23) a staff member be assigned to supervise and train inmates in the beauty parlour and that modern equipment be installed; (p. 85)

24) one person be assigned responsibility to co-ordinate volunteers; (p. 85)

25) inmates in every work programme be enabled to earn certification from outside bodies for training received at OWCC; (p. 85)

26) a cottage be refurbished for use as a library and funds be made available immediately for books and supplies; (p. 88)

27) a cottage be refurbished for use as a school room, and that the school budget be substantially increased; (p. 88)

28) the OWCC school be authorized to award certification for grade completion; (p. 88)

29) an orientation programme be established at OWCC; (p. 88)

30) life skills training and counselling be introduced at OWCC; (p. 88)

31) inmates spend at least one hour outside everyday; (p. 104)

32) the recreational director be relieved of his custodial duties and that a budget sufficient to provide and maintain equipment be made available; (p. 104)

33) volunteers continue to be used for social and recreational activities and that the union members not be discouraged from participating; (p. 104)

34) the inmates' Welfare Fund be placed in an interest-bearing account; (p. 107)

35) all decisions for payment out of the Welfare and Group Funds be approved by a committee of staff and inmates; (p. 107)

36) a clerk with accounting and bookkeeping qualifications be appointed at OWCC; (p. 107)

37) the delay in processing applications be minimized; (p. 112)

38) inmates be accorded the right to attend the panel hearings of their applications and to make oral submissions; (p. 112)

39) inmates have access to all information presented to the panel with regard to their applications; (p. 112)

40) inmates be given full reasons for the decisions of the panel; (p. 112)

41) inmates in the panabode be elligible for temporary absences while at OWCC; (p. 112)

42) that Lynda Williams Community Correctional Centre be closed; (p. 125)

43) the panabode programme at OWCC be re-opened; (p. 126)

44) Graham Street Community Correctional Centre in Victoria be closely scrutinized; (p. 125)

45) family visits continue on a regular basis; (p. 126)

46) unit visits be re-introduced on selection-earned (merit system) basis; (p. 126)

47) visitors be screened and scanning mechanisms be employed to detect contraband; (p. 126)

48) telephone calls to lawyers be private and other conversations monitored if there is a security risk or disruption of good order and/or management is suspected; (p. 126)

49) all censorship of mail ingoing and outgoing stop forthwith; (p. 126)

50) inmates with mental problems be segregated by hospitalization. (p. 135)

51) the Director of Inspection and Standards be a respected and experienced investigator; (p. 143)

52) the Division of Inspection and Standards report directly to the Attorney-General; (p. 143)

53) Citizen Advisory Groups be utilized to their fullest capabilities; (p. 151)

54) Dr. Jewett's Citizens' *Ad Hoc* Committee monitor the implementation of the recommendations of this report; (p. 151)

55) the Local Manager of the Oakalla Women's Correctional Centre report directly to the Regional Director of Corrections; (p. 156)

56) sentenced and remand inmates be separated; (p. 161)

57) a perimeter fence be built at OWCC immediately; (p. 162)

CONCLUSION

To adequately perform the task I undertook as Commissioner I naturally had to rely on many others to assist me. I would hope that during the course of this Commission information has been developed which will assist those involved in female corrections in this province to make the appropriate decisions in years to come.

Thanks are due to Senior Commission Counsel J.E. Hall and his junior, Ann Rounthwaite. Their efforts throughout the life of this Commission have made my work much easier. The Commission Researcher, Mrs. C. Scott has served a vital function in gathering adequate material to assist in my deliberations -- fortuitously, she lived for many years in Kingston, Ontario and was thus able to contribute considerable information about the federal Prison for Women located in that city. Mrs. B. Wightman deserves credit for arranging the physical organization necessary to ensure the efficient operation of the Commission. The office staff, Ms C. Wynne and Miss M. Foster, were always ready to turn their hands to whatever tasks needed doing. The assistance of Mr. J. Laurillard as clerk to the Commission, a task that he performed in a most efficient manner was greatly appreciated.

I should also like to express my appreciation to the various members of the Corrections Branch who assisted me and my staff in obtaining information required by the Commission.

Lastly, I wish to express my gratitude to those interested organizations and individuals who came forward and gave evidence and to all those who prepared submissions which were filed in the proceedings. It was gratifying and decidedly helpful to me to have so many people interested in the subject of the incarceration of female offenders in the Province of British Columbia.

Although I was sole Commissioner in this Inquiry, the work done by this Commission was the joint effort of many people who gave freely of their time and expertise to ensure that all relevant material was brought before me. The aim of all involved was to find the best possible methods of dealing with those female persons on remand or sentenced to terms of incarceration in British Columbia. I do hope that our labours will not have been in vain and that the findings and recommendations that come out of this Inquiry will help to achieve these goals.

APPENDICES

SCHEDULE OF WITNESSES

NAME	DATE	EXHIBIT NO.
Ad Hoc Citizen's Advisory Group	March 7, 1978	82
Ad Hoc Committee on Corr. & Inst.	March 2, 1978 March 3, 1978	75,76,77 --
Allen, J.L.	February 13, 1978	12,13,14
Ash, D.J.	February 21, 1978	46,47
Anderson, P.A.	March 1, 1978	65
B.C. Corr. Assoc.	March 1, 1978	69
B.C. Fed. of Women	February 23, 1978	56
Berger, T.	March 1, 1978	69
Bergman, V.	March 16, 1978	94
Bjarnason, H.B.	February 27, 1978	59
Brager, M.	February 8, 1978 February 9, 1978 March 13, 1978	-- 4,5,6 4-A
Bulmer, G.R.	February 27, 1978	--
Burns, R.E.	March 10, 1978	--
Byman, A.A.	February 10, 1978	11
Campbell, R.	February 22, 1978	51,52
Citizen's Advisory Board to Corr.	February 22, 1978	48,49,50
Claque, I.	February 23, 1978	58
Conroy, J.	March 2,1978 March 3, 1978	75,76,77 --
Culhane, C.	February 17, 1978	30,31,31-A, 32,33,34,35
Day, S.	February 15, 1978	24,25
Deering, J.	March 3,1978	81
Drew, P.	February 13, 1978 March 14, 1978 March 28, 1978	12,13,14 -- 98,99

NAME	DATE	EXHIBIT NO.
Duncan, M.	February 8, 1978	--
	February 9, 1978	4,5,6
	March 13, 1978	4-A
Edgar, D.E.	February 20, 1978	41,42,43
Edwards, B.	February 13, 1978	16
	February 14, 1978	17,18
Eggett, D.	March 8, 1978	83,84,85
Ekstedt, J.W.	February 8, 1978	--
	February 9, 1978	3
	March 31, 1978	--
Elizabeth Fry Society	February 8, 1978	--
	February 9, 1978	4,5,6
	March 13, 1978	4-A
Ellerbeck, J.F.	February 22, 1978	--
Elliott, K.	February 22, 1978	48,49,50
Farquharson, R.A.	March 13, 1978	--
Ford, M.	February 22, 1978	48,49,50
Frances, T.	March 8, 1978	83,84,85
Fraser, C.	March 14, 1978	--
Gilmour, A.G.	February 9, 1978	7
	February 23, 1978	7-A
Graham, J.	February 20, 1978	44
Hall, R.R.	March 17, 1978	--
Harrison, E.W.	February 14, 1978	19
	February 15, 1978	20,21,22,23
	March 17, 1978	96
Hartley, R.C.	February 28, 1978	62,63
Hofseth, S.	March 8, 1978	--
	March 10, 1978	--
	March 13, 1978	87,88,89
Hogarth, F.	March 7, 1978	82
Hoskins, H.F.	March 16, 1978	--

NAME	DATE	EXHIBIT NO.
Human Rights Group	February 15, 1978	24,25
Hurren, J.	February 15, 1978	26,27
	February 16, 1978	28
	March 1, 1978	66,67,68
Irwin, P.A.	March 3, 1978	78
Jack, W.R.	February 10, 1978	8,9,10
	March 16, 1978	8-A, 95
Jackson, M.	March 13, 1978	--
Jewett, P.	March 7, 1978	82
Jodouin, L.	February 17, 1978	30,31,31-A, 32,33,34,35
Kent, D.E.	February 13, 1978	15
Kirk, D.S.	February 20, 1978	38
Klyne, S.	February 22, 1978	51,52
LaCharite, D.	March 14, 1978	90,91
LaFlamme, A.	February 13, 1978	16
	February 14, 1978	17,18
Laverock, J.	February 16, 1978	29
Leach, S.F.	February 27, 1978	60,61
Legal Aid Society of B.C.	February 23, 1978	58
Leitner, J.E.	March 14, 1978	--
Levi, N.	February 20, 1978	40
Lewis, R.A.	March 8, 1978	86
Levett, J.	March 17, 1978	--
Lightbown, L.	February 22, 1978	51,52
Livingston, R.	March 29, 1978	--
Lynch, E.A.	March 3, 1978	--
Martin, J.	March 29, 1978	--

NAME	DATE	EXHIBIT NO.
Morris, D.L.	February 21, 1978	45
Munns, C.	March 3, 1978 March 14, 1978	79,80 92,93
McBain, B.	February 21, 1978	46,47
MacDonald, B.	March 7, 1978	82
McFadden, J.	February 13, 1978 February 14, 1978	16 17,18
McGrath, M.	February 23, 1978	58
McMullan, E.	March 29, 1978	--
National Adv. Comm. on Fem. Off.	March 28, 1978	98
Nicholls, A.A.	March 2, 1978	70,71,72,73, 74
Nordby, K.	March 7, 1978	--
Peacock, M.	March 30, 1978	--
Perreault, R.	March 28, 1978	100,101,102
Pettet, P.	February 22, 1978	53,54,55
Powers, A.	March 28, 1978	100,101,102
Price, K.	February 17, 1978	36,37
Prisoners' Rights Group	February 17, 1978	30,31,31-A 32,33,34,35
Ralph, G.	February 15, 1978 February 16, 1978 March 1, 1978	26,27 28 66,67,68
Riches, V.	March 1, 1978	65
Richmond G.	February 23, 1978	57
Robinson, G.	February 28, 1978	64
Roden, V.	February 8, 1978 February 9, 1978 March 13, 1978	-- 4,5,6 4-A
Rudland, L.	February 23, 1978	56

NAME	DATE	EXHIBIT NO.
Rullens, D.	March 8, 1978	--
Russell, J.S.	March 16, 1978	--
Sanderson, S.	March 7, 1978	82
Schmidt, W.	February 16, 1978	--
Shield, D.E.	February 27, 1978	60,61
Scott, C.	March 28, 1978	97
Sparrow, M.	February 27, 1978	--
Taylor, J.	February 21, 1978	45
Tucker, B.	February 8, 1978	--
	February 9, 1978	4,5,6
	March 13, 1978	4-A
United Native Nations	February 22, 1978	51,52
Veitch, E.	March 14, 1978	--
Walsh, G.	February 28, 1978	62,63
	March 30, 1978	--
Women in Corrections	February 21, 1978	46,47
Women in Criminal Justice System	February 13, 1978	16
	February 14, 1978	17,18

EXHIBIT LIST

EXHIBIT NO.	EXHIBIT	SUBMITTED BY
1	Order-in-Council dated Dec. 5 1977	J. Hall
2	Opening remarks of Counsel	J. Hall
3	Dr. J.W. Ekstedt brief	J. Ekstedt
4	Elizabeth Fry Society brief	E. Fry Panel
4A	Elizabeth Fry Society supplement	E. Fry Panel
5	Letter from E. Fry to Deputy A-G	J. Conroy
6	Letters from E. Fry to A-G	J. Conroy
7	B.C. Building Corporation brief	A.G. Gilmour
7A	Photographs from B.C. Building Corp.	A.G. Gilmour
8	Island Youth Centre study	W.R. Jack
9	Five-Year Plan in Corrections	W.R. Jack
10	Letter from Sheriff Lee to J. Hall	J. Hall
11	Memo of agreement between fed/prov. gov't.	A. Byman
12	Instructions & rules on staff job training	J. Hall
13	Twin Maples brief	P. Drew
14	Rules & Regulations for Twin Maples	J. Allen
15	Regulations of Corrections Branch draft - December 6, 1977	J. Kent
16	Women in Criminal Justice System brief	panel of 4 women
17	Vanier Centre report	B. Edwards
18	Women in Criminal Justice System workshop, Aug. 3,4,5, 1977	B. Edwards
19	Vancouver Regional Corrections Branch Organizational Chart	E.W. Harrison
20	Fed/Prov. Agreement, Transfer of Inmates	E.W. Harrison
21	Letter from E.W. Harrison to K. Ruff on staffing	J. Hall
22	Charts of Heads of units within B.C. Gaol System and B.C.Corrections Branch 1948 to present	E.W. Harrison
23	Standard Minimum rules for Treatment of Prisoners	D. Sorochan
24	Human Rights Branch, Ministry of Labour brief	S. Day

EXHIBIT NO.	EXHIBIT	SUBMITTED BY:
25	Letter from S. Day to F. Drea, Ministry of Corrections	S. Day
26	B.C. Government Employees Union brief	J. Hurren
27	Current Master & Component Agreement	J. Hurren
28	Letter from Mrs. Brown - Jan.1,1978	J. Hall
29	B.C. Corrections Branch Training System	J. Laverock
30	Manual of Operations, Corrections Branch, Institutional Services	D. Kent
31	Instead of Prisons - Handbook for Abolitionists	C. Culhane
31A	Instead of Prisons - workshop manual	C. Culhane
32	Interview from C.B.C. Radio - C. Andrews with B. Hadden	C. Culhane
33	Letter from C. Culhane, re: N.Y. Guardian - Feb.1,1978	J. Hall
34	Prisoners' Rights Group brief	C. Culhane
35	Letters from C. Culhane to A-G	C. Culhane
36	Letter from R.E.Burns to W.R. Jack	S. Hofseth
37	Rules, Information Oakalla C.C.	S. Hofseth
38	Tailoring Instructions	D.S. Kirk
39	Programmes, Women's Unit - Oakalla	A. Rounthwaite
40	N.D.P. Vancouver/Burrard	N. Levi
41	Job Descriptions, Prince George	J. Graham
42	Programs, Work & Leisure, P. George	J. Graham
43	P. George R.C.C.- Women's Unit Annual Report 1975	J. Graham
44	The Co-ed programme surveyed	J. Graham
45	Inmates' Submission	J. Taylor D.L. Morris

EXHIBIT NO.	EXHIBIT	SUBMITTED BY:
46	Women in Corrections - Female Offender	B. McBain & C. Ash
47	Letter from Deputy Chief Constable Victoria to K. Armstrong	B. McBain & C. Ash
48	Citizen's Advisory Board brief	K. Elliott
49	Citizen's Advisory Board list of Members	M. Ford
50	Consumer Report Drug Use	M. Ford
51	Native Courtworker & Counselling brief	S. Klyne & R. Campbell
52	United Native Nations brief	L. Lightbown
53	Rules & Statement on Commitment	P. Pettet
54	Information from Probation Interviewer	P. Pettet
55	Temporary Absence Application form	P. Pettet
56	B.C. Federation of Women brief	L. Rudland
57	Dr. Richmond brief	Dr. G. Richmond
58	Legal Aid Society of B.C. brief	M. McGrath
59	Letter from H.B.Bjarnason to K.Ruff	H.B. Bjarnason
60	Prescription - March 28, 1978	D.E. Shields
61	Investigation Report (Confidential)	S. Leach
62	Organizational Chart	H.B. Bjarnason
63	Memo on Educational facilities & Programmes within institution	R. Hartley
64	Deputy Commissioner of Corrections brief	G. Robinson
65	Inmates' brief	V. Riches P. Anderson
66	Union Employees Appraisal form	J. Hurren G. Ralph
67	P.S.C. - Appraising Employee Perform	J. Hurren G. Ralph
68	Circular - Chairman P.S.C., A.G. Richardson	J. Hurren G. Ralph

EXHIBIT NO.	EXHIBIT	SUBMITTED BY:
69	B.C. Corrections Assoc. brief	T. Berger
70	Task Force on Corr. Services & Facilities	A. Nicholls
71	Lower Mainland Report on Corr.Serv.	A. Nicholls
72	Confidential Report	A. Nicholls
73	Confidential Report	A. Nicholls
74	Confidential Report	A. Nicholls
75	Ad Hoc Committee on Corr. brief	J. Conroy
76	Osgoode Hall Law Journal	J. Conroy
77	Info. Guide for waiting trial & sentenced Inmates	J. Conroy
78	Clinic Year-end Report	P. Irwin
79	Welfare Fund Memo & Description	C. Munns
80	Welfare Fund ledger	C. Munns
81	J. Deering submission	J. Deering
82	Ad Hoc Citizen's Advisory Group	P. Jewett
83	Letter from E.W. Harrison	T. Frances
84	T. Frances submission	T. Frances
85	D. Eggett submission	D. Eggett
86	Court Probation material	D. Rullens
87	Memo from S. Hofseth - Jul. 23/76	J. Conroy
88	Minutes of meeting of Apr. 14/77	S. Hofseth
89	Letter dated Oct. 20/77	S. Hofseth
90	Letter from S. Hofseth to P. MacFarlane	D. LaCharite
91	Letter from P. MacFarlane to D. LaCharite	D. LaCharite
92	Confidential documents	A. Rounthwaite
93	Canteen price list	C. Munns
94	Corrections branch training system	V. Bergman

EXHIBIT NO.	EXHIBIT	SUBMITTED BY:
95	Letter from J. Post to Dr. Ekstedt	Commissioner
96	Treatment & Rehab. of Heroin users	J. Hall
97	Co-ed Institutions relation to female offenders	C. Scott
98	Report on National Advisory Comm. on Female Offender	P. Drew
99	Recommendations from Prov. of B.C. on the Clark Report	J. Hall
100	Daily Routine Chart	A. Powers
101	Gaol Rules & Regulations	J. Hall
102	A. Powers & R. Perreault submission	A. Powers
103	Letter from T. Constable to A-G	A. Powers

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